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REPORT OF THE SECRETARY-GENERAL ON PROTECTION FOR HUMANITARIAN ASSISTANCE TO REFUGEES AND OTHERS IN CONFLICT SITUATIONS

I. INTRODUCTION

1. On 21 May 1997, the Security Council met to discuss how to improve protection for humanitarian assistance to refugees and others in conflict situations. The President of the Security Council subsequently issued a statement on 19 June 1997 (S/PRST/1997/34) summarizing the conclusions and recommendations of the debate and encouraging the Secretary-General to study the matter further. The present report has been prepared in response to that request.

2. The urgency and importance of addressing this issue should be seen in the context of the ever more violent and volatile environments in which refugees, displaced persons and other victims of conflicts find themselves and in which the United Nations and other humanitarian organizations are expected to operate. Erosion of respect for humanitarian norms has led to an increase in the number of civilian casualties, aggravated the protection and assistance needs of refugees and others in conflict situations, complicated the task of providing humanitarian assistance and increased the risks faced by humanitarian personnel. Ensuring peace and reconciliation in post-conflict societies has also become more difficult in the wake of massive suffering and cruelty, often leading to renewed tensions and fighting.

3. While the Secretary-General's report of 13 April 1998 on the causes of conflict and the promotion of durable peace and sustainable development in Africa (S/1998/318) covered, inter alia, the humanitarian dimension of conflicts in Africa, the present report focuses on four specific issues raised by the above-mentioned presidential statement, namely:

- The compliance of State and non-State actors with the provisions of international law, including international humanitarian law, human rights law and refugee law;

- The access of refugees, displaced persons and vulnerable populations in conflict situations to international protection and assistance;

- The safety and security of personnel of United Nations and humanitarian organizations;

- The role of the Security Council in humanitarian operations.

4. Although the paper deals essentially with the role of international organizations in humanitarian operations, the contribution of affected States and the local community in responding to the needs of refugees, displaced persons and other victims in conflict situations needs to be given proper recognition. The importance of supporting local structures and building local capacity for providing humanitarian assistance should not be overlooked.

II. STRENGTHENING COMPLIANCE WITH INTERNATIONAL LAW

A. Relevant international legal instruments

5. A substantial body of international law and principles has been developed to protect civilians, refugees and other vulnerable populations in conflict situations. Although international humanitarian law, refugee law and human rights law are often treated as separate branches of international law, they all have a common goal of protecting individuals from harm and should therefore be considered as complementary.

6. The 1948 Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, the Convention on the Prevention and Punishment of the Crime of Genocide and other important human rights instruments contain provisions, most of which continue to apply even during times of conflict, although there are grounds for derogation from some of the provisions under certain circumstances. Fundamental human rights such as the right to life and the prohibition of torture may however under no circumstances be subject to derogation.

7. Humanitarian law is specifically intended to address humanitarian problems arising directly from international or non-international conflicts by safeguarding the most basic human rights in conflict situations and by limiting the methods and means of warfare. The 1949 Geneva Conventions and the Additional Protocols of 1977 contain well-established norms of international humanitarian law for the protection of civilians and other persons not taking part in the hostilities.

8. The 1951 Convention and 1967 Protocol relating to the Status of Refugees are the principal international instruments concerning the protection of refugees. Instruments such as the 1969 Organization of African Unity (OAU) Convention governing the Specific Aspects of Refugee Problems in Africa and the 1984 Cartagena Declaration on Refugees have been developed to deal with refugee situations at the regional level.

9. The General Assembly in its resolution 52/167 of 16 December 1997 on the "Safety and security of humanitarian personnel", emphasized:

- The need for the international community to assist and protect the affected civilian population, including refugees and internally displaced persons;

- The urgent need to ensure respect for and promotion of the principles and norms of international humanitarian law, including those related to the safety and security of humanitarian personnel;

- The full investigation by States of any threat or act of violence committed against humanitarian personnel.

10. In addition, the representative of the Secretary-General on internally displaced persons, in collaboration with a team of legal experts, has recently developed a set of guiding principles for the protection of internally displaced persons, as noted by the Economic and Social Council at its substantive session of 1998.[1] These principles consolidate the main elements relevant to the protection and assistance for the internally displaced from a wide body of existing international humanitarian and human rights law and, by analogy, refugee law.

B. Problems of compliance with international law

11. Although most States are parties to the 1949 Geneva Conventions, not all States have acceded to the Additional Protocols or to the basic international instruments on human rights and refugees. Moreover, those States that have acceded do not always comply with the relevant norms, principles and provisions.

12. While compliance with the rules of international law has been a perennial problem in conflict situations, there is ample evidence which suggests that the situation has dramatically worsened in recent years because of the changing pattern of conflicts. In situations of internal conflicts, whole societies are often mobilized for war and it is difficult to distinguish between combatants and non-combatants. Young children are being recruited and trained to fight in violation of the Convention on the Rights of the Child and the Additional Protocols to the Geneva Conventions. Civilian populations are being specifically targeted and the forced displacement of civilian populations is now often a direct objective, rather than a by-product, of war. In countries of asylum, the civilian character of refugee camps has been compromised by the presence of armed elements and has become a source of instability and insecurity for refugees, the host community and humanitarian personnel.

13. Many conflict situations have been rendered particularly complex and violent because of the involvement of irregular armed groups, militia, foreign mercenaries, child soldiers, criminals and other disparate groups who have little knowledge of or respect for the rules of international law. Also, there is often a serious problem of political control over the groups, with local commanders being answerable to no one but themselves. As a result, it is difficult to hold parties to the conflict to account when violations of international law take place. Furthermore, as noted in my report on the causes of conflict and the promotion of durable peace and sustainable development in Africa (S/1998/318), many protagonists have a strong material interest in

prolonging the conflict and, consequently, little incentive to respect humanitarian norms.

14. A major problem has been the failure of States to bring to justice those who violate the law. The result has been the development of a culture of impunity in which flagrant violations of human rights and humanitarian law continually go unpunished. The setting up of ad hoc international tribunals in the context of the former Yugoslavia and Rwanda and the recent decision to establish the International Criminal Court have been significant developments in the context of ensuring accountability of those who violate international law. It is noteworthy that the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court granted the Court jurisdiction over genocide, crimes against humanity, war crimes and the crime of aggression, although it remains for the contracting States to properly define the crime and set out the conditions under which the Court shall exercise jurisdiction with respect to such crimes. The Court also recognized individual responsibility for the crimes.

III. ENSURING HUMANITARIAN ACCESS

A. Humanitarian access and the responsibility of States

15. Under international law, refugees, displaced persons and other victims of conflict have a right to international protection and assistance where this is not available from their national authorities. However, if this right is to have any meaning for the intended beneficiaries, then the beneficiaries must have effective access to the providers of that protection and assistance. Access to humanitarian assistance and protection, or humanitarian access, is therefore an essential subsidiary or ancillary right that gives meaning and effect to the core rights of protection and assistance. Humanitarian access is, inter alia, a right of refugees, displaced persons and other civilians in conflict situations and should not be seen as a concession to be granted to humanitarian organizations on an arbitrary basis. The General Assembly, in its resolution 46/182 of 19 December 1991, affirmed that "humanitarian assistance must be provided in accordance with the principles of humanity, neutrality and impartiality".[2]

16. States have primary responsibility for ensuring that refugees, displaced persons and other vulnerable populations in conflict situations benefit from the necessary assistance and protection and that United Nations and other humanitarian organizations have safe and unimpeded access to these groups. However, States themselves often deny humanitarian access and defend their actions by appealing to the principle of national sovereignty in matters deemed essentially within their domestic jurisdiction. While full respect must be shown for the sovereignty, independence and territorial integrity of the States concerned, where States are unable or unwilling to meet their responsibilities towards refugees and others in conflict situations, the international community should ensure that victims receive the assistance and protection they need to safeguard their lives. Such action should not be regarded as interference in the armed conflict or as an unfriendly act so long as it is undertaken in an impartial and non-coercive manner.

B. International efforts to ensure humanitarian access

17. In recent years, humanitarian access has been hampered by general insecurity arising from the conflict, an inability or unwillingness on the part of State or non-State actors to allow such access and, in some cases, deliberate attempts to obstruct humanitarian assistance. The cost in human lives and human suffering has been enormous.

18. International efforts to obtain humanitarian access have taken various forms. The most common means continues to be through negotiations conducted by humanitarian organizations with parties to the conflict, as in the case of Operation Lifeline Sudan or the United Nations operation in Afghanistan. Access has been easier to obtain where all parties have viewed the operation as being impartial, neutral and purely humanitarian. The frequent interruptions of assistance to victims in the Sudan and Afghanistan indicate the difficulties of maintaining humanitarian access even where the parties have agreed on the need for humanitarian assistance.

19. In a number of situations it has not been possible for humanitarian organizations to gain access because of the blatant disregard of international humanitarian principles by the combatants and the deliberate obstruction of assistance to civilians as a major element of their military strategy. In some of these circumstances the international community has resorted to the use of political and military action to gain humanitarian access and ensure the security and effective implementation of humanitarian operations. The special measures have taken different forms, for instance, United Nations peacekeeping forces in Bosnia and Herzegovina and Somalia, United Nations guards in northern Iraq, United Nations-authorized military forces in Somalia, and regional security forces in Liberia, as well as in Bosnia and Herzegovina since December 1995.

20. United Nations peacekeeping forces and other international and regional security forces have often helped to provide security for humanitarian personnel and to improve access to vulnerable populations by, inter alia, escorting relief convoys, clearing landmines, rehabilitating roads and bridges, and managing airports. The civilian components of peacekeeping operations have also made significant contributions to humanitarian operations. However, difficulties encountered by the operations have underlined the importance of establishing realistic mandates, clearly defined objectives and proper coordination mechanisms, backed by adequate resources.

21. It is worth noting that the issue of resources is of critical importance not only for the purpose of ensuring access but also for the provision of humanitarian assistance itself. Humanitarian access must be supported by sufficient funds to meet the protection and material needs of refugees, displaced persons and other victims in all phases of an operation.

22. "Safety zones" and "safe areas" have been established by the United Nations in a number of operations to protect vulnerable civilian populations in conflict situations and to improve access for delivery of humanitarian assistance. Unlike "neutralized zones" or "demilitarized zones" authorized under the rules of international humanitarian law and established with the consent and

cooperation of the parties to the conflict, the "safety zones" and "safe areas" in northern Iraq, Bosnia and Herzegovina and Rwanda were established by the Security Council, acting under Chapter VII of the Charter of the United Nations. In some situations, for example, Bosnia and Herzegovina, "safe corridors" were established to ensure the safe passage of humanitarian assistance and personnel. The establishment of "safe corridors" was also considered by the Security Council in the context of the then eastern Zaire (Democratic Republic of the Congo) and Burundi.

23. The purpose of "safe corridors" has been to establish access. "Safety zones" and "safe areas" are intended to protect vulnerable civilian populations in conflict situations as well as to improve access for the United Nations and humanitarian organizations. However, safety zones and safe areas can only be effective when the political will of the Security Council is manifested in a credible deterrent pressure to protect the area itself as well as its supply lines.

24. Although security forces have provided valuable support to humanitarian operations, humanitarian organizations have been concerned that the use of the military for humanitarian activities, particularly in the context of Chapter VII operations, compromises their impartiality and neutrality, affects their ability to assist victims on all sides of the conflict and, at times, even leads to increased violence against United Nations and other humanitarian personnel. In the context of Chapter VII operations, therefore, the withdrawal or temporary suspension of activities by humanitarian organizations cannot be ruled out.

25. Clearly, when parties to a conflict deliberately obstruct assistance to civilians as a major element of their respective military strategies, the provision (and protection) of humanitarian assistance, while essential, will not always be viewed by the parties as "neutral". When the international community disrupts their war aims in this manner, they can be expected to react. In such cases, the operation must have sufficient coercive capacity to ensure the implementation of its mandate (e.g., protection of humanitarian assistance and of the population in the area) as well as the safety and security of its personnel.

IV. SECURITY OF HUMANITARIAN OPERATIONS AND PERSONNEL

A. The nature and causes of insecurity

26. There has recently been a disturbing increase in the number and scale of direct, calculated attacks or use of force against the personnel of United Nations and other humanitarian organizations. Between 1 January 1992 and 31 August 1998, 153 United Nations international and local staff members lost their lives in the line of duty, 35 of whom were engaged in humanitarian operations. During the same period, 43 incidents of hostage taking of United Nations staff occurred, 25 of which involved humanitarian personnel. At least 23 persons working for the Red Cross movement have been killed since 1996 in the Great Lakes region of Africa alone. Death and injury to the staff of non-governmental organizations would bring the total to a much higher figure.

27. The insecurity faced by humanitarian personnel is the result of three main factors:

- A desire by State or non-State actors in conflict situations to disrupt humanitarian operations which they consider as undermining their own political, strategic or military goals;

- A desire to remove actual or potential witnesses to human rights abuses and other violations of international law by creating an environment in which it is not safe for them to operate;

- A general mistrust and suspicion regarding the motives and intentions of humanitarian organizations.

28. The danger faced by humanitarian personnel has also been exacerbated by the presence of armed combatants and criminal elements in refugee camps and refugee-populated areas and among groups of displaced persons.

29. The problems of insecurity faced by locally recruited personnel of United Nations and other humanitarian organizations needs to be highlighted. The religious and/or ethnic origin of these persons often places them in a vulnerable position with regard to one party or the other in internal conflicts.

B. Responsibility of States

30. States have the responsibility to ensure the safety and security of personnel of United Nations and other humanitarian organizations working on their territory, including locally recruited staff. While the general provisions of human rights law and the specific provisions of the Geneva Conventions and their Additional Protocols apply to humanitarian personnel, the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons Including Diplomatic Agents is specifically relevant to the security of United Nations personnel. However, none of the instruments effectively covers the security needs of United Nations and humanitarian personnel. The 1994 Convention on the Safety of United Nations and Associated Personnel, for instance, covers only those United Nations or other personnel engaged in humanitarian operations specifically authorized by the Security Council or the General Assembly and, furthermore, is yet to enter into force. In a resolution adopted in 1997, the General Assembly deplored the risks confronting United Nations personnel, including those engaged in peacekeeping and humanitarian operations, and locally recruited staff.[3]

31. The Statute of the International Criminal Court now provides in its Article 8, paragraph 2 (b) (iii) and (e) (iii), respectively, that in an international armed conflict and in an armed conflict not of an international character, the following constitutes a "war crime":

"Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the (international) law of armed conflict" (emphasis added);[4]

Therefore, attacks against both United Nations and humanitarian personnel now constitute war crimes under the Rome Statute of the International Criminal Court and fall within the jurisdiction of the Court.

C. Responsibility of non-State actors

32. Although non-State actors are liable for violations of international law pertaining to the safety of humanitarian operations and personnel, it is difficult in practical terms to enforce accountability. Usually in internal conflict situations, the national legal and judicial mechanisms do not function effectively and violations are not properly investigated or prosecuted. Moreover, the training and dissemination activities which the International Committee of the Red Cross (ICRC) and other humanitarian organizations have traditionally undertaken with respect to State structures and military forces are inherently more difficult with respect to non-State actors. However, the ground rules initiative in southern Sudan is one relatively successful effort to persuade non-State actors to comply with international humanitarian and human rights law and may serve as a model.

33. The principle of individual criminal responsibility is of particular importance for ensuring accountability of non-State actors under international law. Ad hoc international tribunals established in the context of the former Yugoslavia and Rwanda are recent examples of mechanisms that have sought to ensure such accountability. The jurisdiction of the International Criminal Court over individuals will also help to promote greater accountability with respect to non-State actors.

V. ROLE OF THE SECURITY COUNCIL IN HUMANITARIAN OPERATIONS

34. The General Assembly has primary responsibility for providing policy guidance for United Nations humanitarian operations. However, in recent years it has become evident that humanitarian crises, particularly large-scale refugee problems, are often a precursor and affect international peace and security for which the Security Council has primary responsibility. Conversely, large-scale human suffering and displacement is a consequence and sometimes a contributing factor to instability and further conflict. It is crucial for the Security Council to be kept informed of the humanitarian problems related to a conflict, so as to enable it to take into account all aspects of a conflict and develop a comprehensive approach to conflict resolution in coordination with the General Assembly, the Economic and Social Council, other relevant bodies of the United Nations, regional and subregional organizations, international financial institutions and other relevant organizations, as well as Member States. The

degree and nature of involvement of the Security Council in humanitarian operations will, however, vary according to the situation.

35. The different circumstances in which humanitarian operations have been conducted can be broadly categorized as follows:

- Where humanitarian access can be assured through negotiations without Security Council involvement or action. This is the scenario, for instance, in Operation Lifeline Sudan;

- Where humanitarian operations are affected by serious security problems and where the efforts of the host State need to be supported by the international community, for instance through the contribution of personnel, equipment, training, logistics or similar measures. An example is the support provided by the international community through the Office of United Nations High Commissioner for Refugees (UNHCR) to the Government of the United Republic of Tanzania since April 1995, which improved security in refugee camps. In such situations, the Security Council should be kept regularly informed with a view to preventing further deterioration and taking appropriate measures if the need arises;

- Where humanitarian operations are affected by serious security problems which host States are not able or willing to address in a satisfactory manner, but where there is consent from the parties to the conflict for the presence of external security forces. The Security Council may determine the need to deploy peacekeeping forces and/or to take other measures, with the consent of the host State, to provide security support to the humanitarian operation. This was the situation, for instance, in both Cambodia and Bosnia and Herzegovina;

- Where humanitarian operations are affected by serious security problems which the host States are not able or willing to address in a satisfactory manner, and where one or more of the parties to the conflict do not consent to the presence of external security forces. In this case, a decision by the Security Council may be required to launch enforcement action in order to achieve humanitarian objectives where there is a threat to international peace and security. This was the approach attempted in northern Iraq (1991), Somalia (1992) and Bosnia and Herzegovina (1995).

36. Action by the Security Council to protect humanitarian assistance may take different forms and include both military and civilian components, such as international police, United Nations guards or human rights observers. It is important to consider the full range of options, keeping in mind the need to manage and resolve the conflict, the security needs of the humanitarian operations, the impact which military and political actors have on a humanitarian operation, and vice versa. In the formulation of options for the Council's consideration, the essential requirement for consultation and coordination with humanitarian organizations cannot be overemphasized.

37. An integrated approach is particularly important in the field, where lack of cohesion or differences among United Nations entities can be exploited by the parties. Accordingly, the Special Representative of the Secretary-General for multidimensional peacekeeping operations is responsible for the implementation of the mandate and has authority over all United Nations entities in the field.

38. Support from the Security Council for humanitarian operations needs to be paralleled by political action to address conflict, without which the effectiveness of humanitarian action is undermined. The significant humanitarian impact of the involvement of the United Nations in Somalia was overshadowed by the failure to achieve progress on the political front. In Rwanda, in 1994, a massive humanitarian operation was launched but the absence of a concurrent international commitment to address the political and security dimensions of the situation allowed genocide to be committed and jeopardized regional peace and stability.

VI. RECOMMENDATIONS

A. Accession to international law instruments

39. It is expected that Member States would reaffirm, strengthen and comply with the existing norms, principles and provisions of international law, including humanitarian law, human rights and refugee law, to ensure protection of and assistance to refugees, displaced persons and others, humanitarian access, and the safety and security of United Nations and other humanitarian personnel. Member States which have not yet acceded to the relevant instruments may wish to consider early accession.

B. Dissemination and advocacy of humanitarian principles

40. The dissemination of norms, principles and provisions of international law is an important step in encouraging compliance. Information, training and advocacy activities of the International Committee of the Red Cross, the Office of the United Nations High Commissioner for Refugees, the Office of the United Nations High Commissioner for Human Rights, the Emergency Relief Coordinator in collaboration with Inter-Agency Standing Committee partners (Office for the Coordination of Humanitarian Affairs) and the United Nations Children's Fund (UNICEF) should be strengthened. Inasmuch as the efforts aimed at ensuring compliance with international law contributes to maintaining international peace and security, these efforts should be supported by the Security Council. The monitoring of such compliance is also an important step in promoting protection.

C. Mechanisms to ensure compliance with international law

41. The culture of impunity which currently prevails on violations of humanitarian norms should end. All those who violate international law must be brought to justice, whether they are State or non-State actors. States have primary responsibility for ensuring that those who violate humanitarian norms are prosecuted through the national criminal justice system or, where

appropriate, through international criminal tribunals, including the International Criminal Court.

42. The setting up of international tribunals in the context of the former Yugoslavia and Rwanda and the recent decision to establish the International Criminal Court mark important attempts by the international community to end the culture of impunity. Further measures should continue to be taken to expand and strengthen the jurisdiction of the International Criminal Court. It is useful to note that article 8, paragraph 2 (b)(xxv); of the Statute qualifies as war crimes the following acts:

> "Intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies as provided for under the Geneva Conventions".[5]

43. In order to ensure the compliance of State and non-State actors with international law provisions, certain concrete steps should be considered. As recommended by the Secretary-General in his report on Africa (S/1998/318), combatants should be held financially liable to their victims under international law in cases where civilians are made the deliberate target of aggression; and in that connection international legal machinery should be developed to facilitate efforts to find, attach and seize the assets of transgressing parties and their leaders. This recommendation has already been implemented, in part at least, in the Statute of the International Criminal Court. The principle of holding individuals financially liable for such crimes is now embodied in article 75 of the Statute. It is established, however, on a level of generality and the specificities of reparations to victims, including restitution, compensation and rehabilitation, through the Trust Fund established for the benefit of victims or through national courts and administrations, would have to be further elaborated by the Court.[6]

D. International solidarity and support for host States

44. Solidarity and burden-sharing are also important in encouraging States to respect humanitarian principles and obligations. Greater attention should be paid to the political, economic and social impact on countries which receive large refugee populations. The international community should acknowledge their contribution and be ready to assist these States, not only in terms of humanitarian assistance but also for rehabilitation of refugee hosting areas. Such assistance should not, however, be given at the expense of regional development cooperation assistance. In this context, close coordination and cooperation is needed between humanitarian organizations and development agencies.

E. Measures to improve security and access

45. The Security Council may wish to give serious consideration to developing a range of options to maintain law and order and create a secure environment for civilians endangered by conflict and for the delivery of humanitarian assistance

in conflict situations. The options should include a variety of measures, starting with modest efforts to boost local and national capacity including community-based protection and moving on to greater international involvement when security problems escalate, and encompassing a range of actors, national and international, civilian and police, as well as military.

46. In order to enhance their own security as well as that of humanitarian personnel, efforts should be made to locate refugees at a reasonable distance from international borders in camps of limited size. In the context of Africa, the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa contains specific provisions to this effect.

47. Armed combatants among refugee and displaced populations are a source of insecurity and should be separated from the civilians. While refugee-hosting States bear primary responsibility for the maintenance of law and order in and around refugee camps, they sometimes lack the will or the capacity to establish and maintain the rule of law in refugee camps or refugee-populated areas. In the interests of international peace and security, the Security Council is expected to ensure that the host State receives the necessary support and that appropriate measures are taken, in a timely manner, to separate armed elements from refugees and other civilians.

48. The proliferation of arms is a major factor affecting the security of both refugees and other vulnerable populations as well as United Nations and humanitarian personnel. More vigorous efforts need to be made to monitor and regulate the trade in arms to areas of actual or potential conflict. The Security Council may wish to consider imposing an arms embargo in situations where civilians are targeted by the parties to the conflict or where the parties are known to be involved in gross violations of human rights. The Council may also wish to consider establishing a more effective mechanism for the implementation of arms embargoes. Member States are urged to take the necessary steps, including domestic legislation, to penalize those engaged in illicit trade. Greater attention should also be paid to the role of private arms traders, including the role the United Nations might play in compiling, tracking and publicizing such information. There is a need for this issue to be addressed by the Security Council as a matter of urgency.

F. Safety of humanitarian personnel

49. Steps should be taken to encourage Member States to ratify the 1994 Convention on the Safety of United Nations and Associated Personnel and the Statute of the International Criminal Court, so that they may enter into force as soon as possible. Efforts should be made to extend the application of the Convention so that it adequately covers all humanitarian personnel.

50. United Nations and other humanitarian personnel should be adequately trained on security procedures prior to deployment. A security training package for humanitarian personnel working in conflict situations has been developed jointly by the United Nations Security Coordinator in collaboration with UNHCR. The Administrative Committee on Coordination (ACC) has approved the implementation of a mandatory security training programme for all United Nations

personnel. Unfortunately, none of the organizations concerned have made the funds available to undertake this training. ACC has also approved the establishment of a Trust Fund for Security to supplement existing funding mechanisms. The Trust Fund was formalized in June 1998 and solicitations were sought from Member States. So far only one Government has responded positively. Therefore the attention of Member States is drawn to the existence of this Trust Fund and they should be encouraged to contribute to efforts to ensure the security of United Nations staff.

G. Security Council involvement

51. It is important that humanitarian activities not be viewed in isolation from the overall social, political and economic context of a conflict. The Security Council should be kept regularly informed of the humanitarian situation in cases of potential or actual conflict so that it has a comprehensive picture of the problem.

52. In situations where a decision is made by the Security Council to deploy United Nations troops or other external security forces in support of humanitarian operations, it is of critical importance that they be given clear, realistic and appropriate mandates, that they be deployed in a timely manner and that they be adequately resourced and supported. A clear mandate is important in order to delineate the respective responsibilities of the military and humanitarian actors, and to ensure effective and timely action.

53. Several of the recommendations contained in the present report, namely those expressed in paragraphs 42, 44, 45 and 47, coincide with the recommendations made in my report on Africa entitled "The causes of conflict and the promotion of durable peace and sustainable development in Africa" (S/1998/318). Upon receipt of my earlier report, the Security Council, in its resolution 1170 (1998) of 28 May 1998, established an ad hoc Working Group to review all recommendations in the report relating to the maintenance of international peace and security, in accordance with the Charter of the United Nations, and in that context, to prepare a framework for the implementation of recommendations, as appropriate, and to submit specific proposals for concrete action for consideration by the Council by September 1998.

H. Effective Coordination

54. It is also vital to ensure that mechanisms exist on the ground for the effective coordination between the political and the military components of a United Nations operation, on the one hand, and the human rights and humanitarian components on the other. Working arrangements between international security forces and United Nations or other humanitarian organizations should ensure that the distinct nature of their respective tasks are fully understood and that policies and strategies are properly coordinated. In this connection, a working group of the Executive Committee on Peace and Security and the Executive Committee on Humanitarian Affairs has been established to better define the relationship between Special Representatives of the Secretary-General and Humanitarian Coordinators as well as those of the Human Rights and other

components of United Nations missions. The role of the Special Representatives of the Secretary-General has been enhanced to this end to include authority in the cases of multidimensional peacekeeping operations for all United Nations entities in the field.

55. Every effort should be made to support the work of the Emergency Relief Coordinator and the member organizations of the Inter-Agency Standing Committee to ensure coordination of humanitarian operations. The Executive Committee on Humanitarian Affairs, convened by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, has been established to further this objective. Common guidelines for engagement in humanitarian operations in accordance with established principles are also being developed by the Office for the Coordination of Humanitarian Affairs in cooperation with its partners.

Notes

[1] E/1998/L.15, para. 11.

[2] General Assembly resolution 46/182, annex, para. 2.

[3] General Assembly resolution 51/227, para. 3.

[4] A/CONF.183/9, art. 8, para. 2 (b) (iii) and (e) (iii).

[5] Ibid., para. 2 (b) (xxv).

[6] Ibid., art. 93, para. 1 (k).

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LETTER DATED 18 SEPTEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF NIGERIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose, on behalf of Ambassador Ignatius C. Olisemeka, Minister for Foreign Affairs of the Federal Republic of Nigeria and Chairman of the Economic Community of West African States (ECOWAS) Committee of Seven on Guinea-Bissau, the text of the final communiqué issued at the conclusion of the Second Joint Meeting of the Ministers for Foreign Affairs of the ECOWAS Committee of Seven on Guinea-Bissau and the Community of Portuguese-speaking Countries, which took place at Abidjan on 15 and 16 September 1998 (see annex).

I would be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Ibrahim A. GAMBARI
Ambassador
Permanent Representative

98-27879 (E) 230998

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Annex

Final communiqué of the Second Joint Meeting of Ministers for Foreign Affairs of the Economic Community of West African States (ECOWAS) Committee of Seven on Guinea-Bissau and the Community of Portuguese-speaking Countries, held at Abidjan on 15 and 16 September 1998

1. The Foreign Ministers of the Economic Community of West African States (ECOWAS) Committee of Seven and the Community of Portuguese-speaking Countries (CPLP) held their second joint meeting on the situation in Guinea-Bissau in Abidjan, Republic of Côte d'Ivoire, on 15 and 16 September 1998.

2. It should be recalled that, during their first meeting held at Praia on [illegible] May, the Ministers agreed to continue discussions on the timetable for withdrawal, the establishment of an ECOWAS/CPLP observer mission, the composition of the interposition force and other issues relating to its deployment.

3. The meeting was jointly chaired by the Ministers for Foreign Affairs of the Federal Republic of Nigeria and the Republic of Cape Verde, Messrs. Ignatius C. Olisemeka and Jose Luis Jesus respectively.

4. The following member States were present at the meeting:

ECOWAS member States:

Burkina Faso;
Republic of Côte d'Ivoire;
Republic of the Gambia;
Republic of Ghana;
Republic of Guinea;
Federal Republic of Nigeria;
Republic of Senegal.

CPLP member States:

Republic of Angola;
Federative Republic of Brazil;
Republic of Cape Verde;
Republic of Mozambique;
Republic of Portugal.

5. In attendance were the secretariats of the Organization of African Unity (OAU), ECOWAS and the CPLP.

6. The ECOWAS Monitoring Group (ECOMOG) Force Commander also attended the meeting.

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7. Participating at the meeting by invitation were representatives of the Secretary-General of the OAU and the United Nations as well as the representative of the European Union.

8. Also present were representatives of the Government of Guinea-Bissau and the self-proclaimed military junta.

9. The meeting took place in a frank and cordial atmosphere.

10. The Ministers considered the report of the Joint Meeting of the ECOWAS Chiefs of Defence Staff of the Committee of Seven on Guinea-Bissau and CPLP military experts held at Abidjan from 13 to 15 September 1998.

11. The meeting consulted the parties in the conflict on the recommendations of the joint meeting of the ECOWAS Chiefs of Staff and the CPLP military experts.

12. The parties to the conflict, encouraged by the Ministers, agreed on the modalities for the implementation of the Ceasefire Agreement as it relates to the deployment of an ECOWAS/CPLP observer mission in Guinea-Bissau and consequently signed an agreement to that effect.

13. The Ministers also encouraged the parties to continue their efforts at finding a speedy, peaceful and lasting solution to the crisis in their country by concluding and implementing further relevant agreements relating to the deployment of an interposition force to Guinea-Bissau and other outstanding aspects of the peace force.

14. The meeting called upon the parties to cooperate with the Observers and give them all necessary support to successfully accomplish their mission.

15. The Ministers paid glowing tribute to the Foreign Minister of Côte d'Ivoire, Mr. Amara Essy, for the excellent work he had done in coordinating the work of the Committee of Seven and chairing meetings at the request of the Chairman of ECOWAS and Head of State of the Federal Republic of Nigeria.

16. The Ministers also congratulated the newly appointed Minister for Foreign Affairs of the Federal Republic of Nigeria, the Honourable Ignatius C. Olisemeka, and pledged their individual and collective support and cooperation during his tenure as Chairman of the ECOWAS Ministerial Committee of Seven on Guinea-Bissau.

17. The ECOWAS Committee of Seven and the CPLP Contact Group expressed their profound gratitude to His Excellency Henri Konan Bedie, President of the Republic, and to the Government and people of Côte d'Ivoire for the kind hospitality extended to them and for the excellent facilities placed at their disposal to ensure the success of their meeting.

DONE at Abidjan, this 16th day of September 1998.

UNITED NATIONS **S**

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S/1998/885
23 September 1998

ORIGINAL: ENGLISH

LETTER DATED 22 SEPTEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to attach herewith an article published in The New York Times of 21 September 1998 in which the paper stated that the decision of the United States of America to strike the factory in Sudan was based on surmise (see annex).

The paper reported that some top American officials now believe that the reasons for bombing the factory were not convincing.

I should be grateful if you could circulate the present letter and its annex as a document of the Security Council.

(Signed) Elfatih ERWA
Permanent Representative

98-28019 (E) 240998

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Annex

[Original: English]

Article published in The New York Times of 21 September 1998

DECISION TO STRIKE FACTORY IN SUDAN BASED ON SURMISE

INFERRED FROM EVIDENCE

With U.S. Spies Gone Home, Reliable Information About the Plant Was Scarce

By TIM WEINER and JAMES RISEN

WASHINGTON, Sept. 20 — Shortly after investigators linked Osama bin Laden, the Saudi exile, to the bombings of two American embassies in East Africa, six of President Clinton's most senior advisers convened in the White House situation room to plot a counterattack with cruise missiles.

Few national security issues in Mr. Clinton's presidency were handled with greater secrecy or by a smaller group of people. The Administration was determined to avoid leaks, and that meant limiting deliberations to the "small group," the President's innermost circle.

The security precautions worked. The strikes against Mr. bin Laden's camps in Afghanistan and a pharmaceutical factory in the Sudan on Aug. 20 took the world by surprise.

But within days of the attack, some of the Administration's explanations for destroying the factory in the Sudan proved inaccurate. Many people inside and outside the American Government began to ask whether questionable intelligence had prompted the United States to blow up the wrong building.

Senior officials now say their case for attacking the factory relied on inference as well as evidence that it produced chemical weapons for Mr. bin Laden's use. And a reconstruction of how the "small group" and the President picked the bombing targets, based on interviews with participants and others at high levels in the national security apparatus, offers new details of how an act of war was approved on the basis of shards of evidence gleaned from telephone intercepts, spies and scientific analysis.

Officials disclosed that the decision to attack came after several years of bitter disagreement within the Administration about how to handle the Sudan after the United States placed it on its short list of countries that sponsor terrorism.

In January 1996, the C.I.A. formally withdrew more than 100 of its intelligence reports on the Sudan after concluding that their source was a fabricator.

The reports, many of which dealt with terrorist threats against Americans in the Sudan, were withdrawn within weeks of decisions to pull American diplomats and spies out of the Sudan because of the dangerous political conditions there.

The absence of American personnel has made assembling a clear picture of the Sudan all the more difficult. In their absence, the United States has had to rely increasingly on exiles, opposition groups and governments of nearby countries for its information.

Among the evidence that convinced the "small group" and President Clinton to attack Al Shifa pharmaceutical plant in the Sudan's capital, Khartoum, included a report from a "sensitive source" who said Mr. bin Laden had asked Sudanese officials to help him obtain chemical weapons that could be used against American installations.

"Bin Laden directly involved himself with the Sudanese Government, trying to get it to test poisonous gases in case they could be be tried against U.S. troops in Saudi Arabia," a senior intelligence official said.

But American officials do not know for certain that this plan was carried out, or that Al Shifa had been directly involved.

The Central Intelligence Agency had been looking at Al Shifa for 18 months. The agency had obtained a soil sample from outside the plant, revealing the presence of Empta, a chemical used to make VX nerve gas. There were more circumstantial pieces of evidence linking Mr. bin Laden to that factory, the agency is said to have believed.

The Director of Central Intelligence, George J. Tenet, told the five other members of the group that Mr. bin Laden had asked Sudanese leaders about three years ago to help him make poison gas with which to attack American troops in Saudi Arabia.

Berger and Albright Were Convinced

"We believed he was deep in a hunt for weapons of mass destruction, including chemical weapons," one senior Administration official at that meeting said. "Was it safe to ignore that evidence? After very careful deliberation, it was decided, on balance, that it would be irresponsible of us not to attack the plant."

Samuel R. Berger, the national security adviser, and Secretary of State Madeline K. Albright were convinced that the Sudan could be making weapons for Mr. bin Laden.

Ms. Albright called the Sudan "a viper's nest of terrorists" in 1996, not long after unconfirmed intelligence reports that terrorists in the Sudan were plotting to kill Mr. Berger's predecessor, Anthony Lake. Mr. Berger said in an interview that the evidence at the meeting was "extremely convincing."

Two days later, on Aug. 12, the "small group" met with President Clinton in the Oval Office. Gen. Hugh Shelton, Chairman of the Joint Chiefs of Staff, gave him a list of targets in the Sudan. The best one, all agreed, was Al Shifa. The President approved an attack on the plant two days later.

But now some State Department and C.I.A. officials argue that the Government cannot justify its actions.

"As an American citizen, I am not convinced of the evidence," said one Administration official who says the United States may have made a mistake.

Hours after they launched cruise missiles at the factory on Aug. 20, senior national security advisers described Al Shifa as a secret chemical weapons factory financed by Mr. bin Laden. But a month after the attack, those same officials concede that they had no evidence directly linking Mr. bin Laden to the factory at the time the President ordered the strike.

Nor are they certain whether their soil sample proves that Empta, the suspected precursor chemical for VX, was made at Al Shifa or was just stored or shipped through there.

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No Piece of Paper, But Strong Inference

Senior Administration officials concede that they made inaccurate statements about the plant on Aug. 20 and did a poor job of publicly stating their case against the factory.

"We were not accurate," a senior Administration official said. "That was a mistake."

But officials argue that their actions have been criticized because some of their most sensitive evidence has been kept secret. So they are now making some of that evidence public.

"I don't have a piece of paper that says, in a wiring diagram," that Al Shifa is connected to the Sudanese military-industrial complex, a senior intelligence official said. But "evidence plus inference" creates a strong case that the plant is connected, through the complex, to Mr. bin Laden, he said.

Intelligence officials said they had found financial transactions between Mr. bin Laden and Sudan's Government-run Military Industrial Corporation, which they say was the organization overseeing chemical weapons development.

Even though the intelligence officials did not know who owned the plant at the time of the attack, they now say its nominal owner, Salih Idris, is a front man for Mr. bin Laden. But a lawyer for Mr. Idris, an adviser to Saudi Arabia's largest bank, says Mr. Idris has never met Mr. bin Laden.

The C.I.A. has been told that Osman Sulayman, the general manager of the plant, was deported from Saudi Arabia around 1995 for his suspected ties to Mr. bin Laden.

Another senior official said: "Al Shifa was to one degree or another involved in chemical weapons production. I can't tell you whether the VX precursor was produced or stored there. But the plant is tied to Sudan's military-industrial complex, which is tied to bin Laden."

Other Administration officials still doubt their own Government's explanations. One said: "The decision to target Al Shifa continues a tradition of operating on inadequate intelligence about Sudan." That pattern of policies shaped by questionable intelligence reports about Sudan, these skeptical officials say, is at least three years old.

Unreliable Informants Warned of Terror

In late 1995 the C.I.A. realized that a foreign agent who had warned repeatedly of startling terrorist threats against American diplomats, spies and their children in Khartoum was fabricating information.

They withdrew his reports, but the climate of fear and mistrust created by the reports bolstered the case for withdrawing personnel from the American Embassy in Khartoum, officials said.

Some officials say that the decision was also driven, in part, by a second C.I.A. source, who warned in 1995 that Anthony Lake, then the national security adviser, would be assassinated by terrorists based in the Sudan. Mr. Lake moved into Blair House, a Federal mansion across the street from the White House, and then to a second undisclosed location, after the threat was reported.

"The threat to Tony Lake had a chilling effect on the National Security Council," an Administration official said. But the source's reports were never verified or corroborated by any other evidence, officials say. He disappeared from view around the time the embassy's personnel were withdrawn.

The embassy remained closed, even though, as a senior intelligence official put it, "the threat wasn't there" as of 1996.

Battle in Washington Has Raged for Years

Senior Administration officials argue that the flawed intelligence reports had no impact on their thinking. They said that increasing threats in 1995, including incidents in which shots were fired at American officials, had driven the decision.

But they conceded that shutting the embassy and the C.I.A.'s station in the Sudan eroded their ability to gather intelligence about the country and about Al Shifa.

The argument over the closing of the embassy and the attack on the Sudan are part of a battle that has been raging inside the Government for years.

On one side of this battle are officials who want change the Sudan by punishing and isolating it. Others would change the Sudan's conduct by cajoling and engaging its leaders. The isolators have won.

In 1991 the Sudanese began to allow any Muslim into the country, without a visa, in a show of Islamic solidarity. In the years since, hundreds of suspected terrorists from around the world, including Mr. bin Laden, used the Sudan as a safe haven. In 1993 the State Department placed the Sudan on its list of states sponsoring terrorism.

The isolators had evidence to support the case for closing the embassy and imposing sanctions against the Sudan. In March 1995, two of Mr. bin Laden's operatives shadowed an embassy official in Khartoum. In June, Egyptian radicals based in the Sudan tried to assassinate the Egyptian President, Hosni Mubarak. United States intelligence officials say they believe that the man who was then chief of the Sudan's security service was involved.

The Sudan never moved to arrest the suspects. A few months later, the C.I.A. reported indications that Iranian operatives in the Sudan were conspiring to attack United States officials, although nothing came of that threat.

Susan Rice, now the Assistant Secretary of State for African Affairs and a leading advocate of isolating the Sudan, said in an interview that she had become convinced that talking to the Sudanese was increasingly fruitless.

Some in Government Saw Cause for Hope

Others in the Government say there was reason for hope. In August 1994, the Sudan had turned over the elusive international terrorist who called himself Carlos. The State Department called that "a significant development."

When the United States protested to the Sudan about surveillance of embassy personnel, Sudanese officials said they had found out that it had been done by Mr. bin Laden's men and expelled them. In September 1995, the Sudan stopped letting Arab travelers enter the country without visas.

And on March 8, 1996, a month after the embassy was closed, C.I.A. and State Department officers met secretly with a Sudanese official in Washington. They asked the Sudanese to turn over the names of more than 200 bin Laden operatives allowed into the Sudan since 1994, information on Iranian and Arab radicals in the country and the whereabouts of the three Egyptians suspected of trying to kill Mr. Mubarak.

In May 1996, at the request of the United States and Saudi Arabia, the Sudan expelled Mr. bin Laden, who moved to Afghanistan. Sudanese officials also say they sent 100 of his operatives and their dependents to Afghanistan as well.

But United States officials were convinced that the Sudanese were insincere. "With the exception of the expulsion of Osama bin Laden, which was not followed by any steps to get rid of his financial network, they have not done anything serious," Ms. Rice said.

Dialogue Faltered By the End of 1996

By the end of 1996, the dialogue between the United States and the Sudan was falling apart, officials said.

In February 1997, the Sudanese President, Omar Hassan al-Bashir, sent President Clinton a personal letter. It offered, among other things, to allow United States intelligence, law-enforcement and counterterrorism personnel to enter the Sudan, and to go anywhere and see anything, to help stamp out terrorism.

The United States never replied to that letter. The isolators derided it as a meaningless "charm offensive" by the Sudan, in Ms. Rice's words.

A senior Sudanese official made a similar offer directly to the F.B.I. six months ago: send a counterterrorism team to the Sudan, and we will help in any way we can, it said. The F.B.I. wrote back in June, declining the opportunity.

Sometime in recent months, the C.I.A. became certain that it had discovered Empta at Al Shifa. On Aug. 14, President Clinton approved the plant's destruction.

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LETTER DATED 22 SEPTEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to attach herewith the statement on the Sudan contained in the address of President Blaise Compaore, Chairman of the Organization of African Unity, to the General Assembly on 21 September 1998. The Chairman stated before the Assembly that Africa supports the request made by the Sudan to the Security Council to send a fact-finding mission to the Sudan.

I should be grateful if you could circulate the present letter and its annex as a document of the Security Council.

(Signed) Elfatih ERWA
Permanent Representative

98-28025 (E) 240998 240998

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ANNEX

(Original: French)

Statement made on 21 September 1998 by the Chairman of the Organization of African Unity on the Sudan

Africa hopes also that the Sudan will prevail upon the Security Council to send a fact-finding mission in the aftermath of the bombing of the Khartoum pharmaceutical plant.

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23 September 1998

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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS POLICE SUPPORT GROUP

I. INTRODUCTION

1. The present report is submitted pursuant to the statement of 2 July 1998 of the President of the Security Council (S/PRST/1998/19). It provides an overview of the activities of the United Nations Police Support Group and an assessment of the situation in the Danube region since the submission of my last report on 11 June 1998 (S/1998/500). The report also details the arrangements for the termination of the Support Group mandate by 15 October 1998.

II. OPERATIONS OF THE POLICE SUPPORT GROUP

2. Since my last report, cooperation between the Support Group and the local police has been satisfactory. Regular contacts between my Representative and senior Croatian government officials have helped to resolve emerging issues. In addition, the Commissioner of the civilian police and his staff have maintained regular daily contact with local police commanders.

3. My Representative has also maintained close contact with the United Nations agencies in Croatia, in particular with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Office of the United Nations High Commissioner for Human Rights, as well as other international organizations, especially the Organization for Security and Cooperation in Europe (OSCE). This close contact has been instrumental in ensuring a coordinated international position on key issues related to the implementation of the respective mandates of those organizations, most notably those related to the return of refugees and displaced persons and the monitoring of the situation in the region.

The security situation in the region

4. The security situation in the region continues to be relatively stable. According to the Ministry of the Interior, the level of crime is lower than in most other areas of Croatia. This is largely due to the high ratio of police officers to residents in the region, as compared with elsewhere in Croatia, and to international monitoring. The overall level of housing-related and ethnically related incidents is decreasing. In the four-week period preceding

my report of 11 June 1998, an average of 54 incidents were reported each week. In the most recent four-week period, the average had dropped to 33.

5. Housing-related intimidation, which generally involves attempts by Croat homeowners to evict Serb displaced persons temporarily occupying their homes under the terms of the Agreement on Operational Procedures of Return concluded by the Government of Croatia, the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and UNHCR, has declined from 599 reported incidents in the three-month period preceding my last report to 258 in the current three-month period. One factor in this decrease is the decline in the number of Serb displaced persons who remain in the region as a result of resettlement in their original homes or other accommodation elsewhere in Croatia or their departure to other countries.

6. Despite improvements in the security situation, the severity of ethnically related incidents has increased, with verbal intimidation being replaced by more violent incidents. Increases in ethnically related shootings, explosions, assaults and vandalism have been recorded. These incidents have often been directed against symbolically important objects such as community monuments in the region. In addition, the number of ethnic incidents by repeat offenders has risen from an average of 15 per cent in the previous reporting period to 20 per cent in the current reporting period.

Croatian police performance

7. The overall police response to criminal activity meets international standards for law enforcement agencies as described in the "United Nations Criminal Justice Standards for Peacekeeping Police" (second edition, 1996). Reports of the Support Group show that in response to complaints, the police filed charges in more that 75 per cent of cases. However, police response to ethnic incidents is less encouraging. Despite clear guidelines established by the Ministry of the Interior, there are signs of a growing unwillingness on the part of some police officers to take action in such cases. This has been compounded by recent oral instructions to police officers not to evict owners who have illegally repossessed their properties. As a result, a perception has been created in the minds of would-be offenders that the police will not forcibly remove them, and among displaced persons, that the homeowner and the police are in collusion. The performance of the police is also being undermined by an inefficient judicial system. The inability of the courts to promptly hear charges against offenders contributes to the local population's perception that the system is not impartial and that the police and the courts cannot be trusted when dealing with ethnically related cases.

8. Continuing difficulties with standards of training and supervision of local police officers are reflected in the fact that some 10 per cent of them currently face formal disciplinary proceedings. Attempts by the Support Group to address differences in the levels of training have been hampered by reluctance on the part of some Serb and other minority officers to undertake training outside the region. While some of them claim to fear intimidation at the police academy, there is no evidence that this fear is justified. Notwithstanding those difficulties, 120 officers from all ethnic groups have attended training courses within the region sponsored by the Austrian Centre for

Peace and Conflict Resolution. In addition, weekly instruction, supported by the civilian police, is provided at the station level for all police officers.

9. Despite an agreement between the Support Group and the Government of Croatia, there has been an increase in the number of local police officers failing to share information with or to inform the civilian police in matters involving investigations. Since my report of 11 June, 56 cases of local police officers not complying with the provisions of this agreement have been recorded, as compared with 32 during the previous reporting period. Those cases have been followed up with the Ministry of the Interior and resolved satisfactorily.

10. In its presidential statement of 2 July 1998, the Security Council called upon the Government of Croatia to take measures to strengthen public confidence in the police, including through public information and police preventive action. In that context, the Council stressed the importance of instituting a community policing programme. Regrettably, there has been little response to numerous requests that local police officers take part in public relations activities, and the Ministry of the Interior, despite frequent urging, has yet to take steps to institute a community policing programme. The institution of such measures could help to counter the local perception that the police force is biased.

Ethnic structure of the local police force

11. At present, the local police force has a strength of 1,522 officers, including 801 Croats, 672 Serbs and 49 officers of other ethnicity. Full proportionality at all levels, including in senior and command positions, is respected. Measures continue to be taken by the Assistant Minister of the Interior and his officers to counsel those Serb members intending to resign and to persuade them to remain.

12. The working conditions and salaries of members of the local police force continue to be the same, regardless of ethnicity. No problems have been reported between officers of Croat and Serb origin. Similarly, there is no evidence of discrimination in either the raising of disciplinary charges in the force or the outcome of proceedings.

III. RETURN OF REFUGEES AND DISPLACED PERSONS

13. On 26 June 1998, the Government of Croatia adopted a Programme for the Return and Accommodation of Displaced Persons, Refugees and Exiled Persons, which was developed in close cooperation with UNHCR, the United Nations, OSCE and the Article 11 Commission. The programme is a major step in the right direction. It establishes mechanisms that should allow for the return of all Croatian citizens to their former homes or for the provision of alternative accommodation, as well as for restitution of their property. It also establishes comprehensive monitoring mechanisms. The return programme also commits the Government to legislative changes to support it. The Government has already taken several initial steps towards that end, including rescinding the law on the temporary takeover and administration of specified property and the law on the leasing of apartments in the liberated areas. It has committed

itself to framing regulations to address the issues stemming from the abolition of those laws and pledged to introduce legislation to equalize the status of all categories of returnees.

14. Nevertheless, the programme has shortcomings. It does not establish a satisfactory non-discriminatory mechanism to enable apartment dwellers to return to formerly socially owned apartments or to receive alternative accommodation or compensation. Senior government representatives have indicated that plans will be developed to that effect, but they are predicated on the construction of new homes for those now occupying the apartments. Unless progress is made in this important area, Serb returns to urban areas are unlikely to increase.

Implementation of the return programme

15. A key factor in the implementation of the return programme was the establishment of housing commissions in all areas of return by 31 July 1998. In most instances, housing commissions were formed by the deadline, but many of them are not fully operational and cite difficulties with instructions or their interpretation. The Government Coordination Committee on Return has yet to meet. In addition to the specific legislative steps already taken or proposed, the Government will need to harmonize other legislation with the provisions of the return programme.

16. The Government has, nonetheless, made encouraging progress in implementing the return programme. Since its adoption, 10,411 requests for return to Croatia have been submitted by Croatian Serb refugees in the Federal Republic of Yugoslavia and in Bosnia and Herzegovina (Republika Srpska) to the Croatian Government Office for Displaced Persons and Refugees. All of these requests have been submitted with UNHCR assistance. UNHCR has reported that 3,810 individuals have been cleared for return; of those, 700 have returned spontaneously and 719 have returned under the newly established mechanisms. Another 819 individuals have returned using travel documents provided by Croatian diplomatic missions. So far, the bulk of returns have consisted of comparatively easy cases of family reunions or of returnees moving in with friends. The Croatian Government Office for Displaced Persons and Refugees reports that 1,335 applications for reconstruction assistance have been made by Croatian Serb refugees; 420 of those have been approved and 100 payments have been made so far.

17. The Office for Displaced Persons and Refugees also reports that 22,501 Croatian citizens of Serb ethnicity have returned to Croatia from the Federal Republic of Yugoslavia and Bosnia and Herzegovina. In addition, a further 22,300 Croatian citizens of Serb ethnicity have returned to other parts of Croatia from the region. This latter figure may be inflated, as the Office notes that some returnees from the Federal Republic of Yugoslavia did so via the region and may, therefore, be included twice in the total.

18. According to the Office for Displaced Persons and Refugees, only 5,700 previously registered displaced Serbs still remain in the region. This figure has dropped progressively, from 33,200 in 1997 to 12,600 by the time of my report of 11 June 1998. The movement of both Serb displaced persons and the Serb population domiciled in the region to the Federal Republic of Yugoslavia

and other countries has continued. Information from the Croatian customs service suggests that approximately four families per day are leaving the region for the Federal Republic of Yugoslavia.

19. With regard to the return of Croat displaced persons, the Office for Displaced Persons and Refugees reports that 21,349 have returned to the region. Observations on the ground suggest that about half of them have returned permanently. Some Croat returnees are temporary residents who, while maintaining houses - which are not necessarily theirs - elsewhere in Croatia, return to their own homes in the region on the weekend. It should be noted that the return programme makes double occupancy illegal, but no steps have yet been taken to enforce that provision. So far, most returns have been to Ilok in the south of the region and to Baranja in the north. Despite Government efforts to enhance the rate of return of Croat displaced persons, there is little evidence of increased returns, particularly to Vukovar.

Impediments to two-way returns

20. Key factors impeding two-way returns include the absence of economic revitalization, the lack of employment opportunities in many areas of return and a low level of confidence in the prospects for long-term return. There are signs that some Croat returnees to the region have now departed because of difficulties in finding work. In addition, economic difficulties continue to prompt original residents to leave the region. Similar problems in the areas of Serb return promote tension between Serb returnees and other residents. There is little evidence of young people returning to their pre-war homes in the region and other areas of return.

21. The return process within Croatia is also affected by regional returns. Bosnian Croat refugees, for example, are presently occupying many Croatian Serb houses in the Krajina. These refugees must either be enabled to return to their own homes in Bosnia and Herzegovina or be provided with alternative accommodation within Croatia. So far, some 12,000 Bosnian Croat refugees have registered for return to both the Federation and the Republika Srpska in Bosnia and Herzegovina. No returns from this group have taken place because of lack of approval from the Governments concerned. There is evidence also that some Croatian government representatives may have encouraged Bosnian Croat refugees to remain in Croatia.

IV. THE SITUATION IN THE DANUBE REGION

22. In its presidential statement of 2 July 1998 (S/PRST/1998/19), the Security Council called upon the Government of Croatia to demonstrate by its actions its commitment to fulfilling its obligations under the Basic Agreement and other agreements, including through progress on national reconciliation at every level. The Council also called upon the Government to implement fully and fairly its legislation on amnesty, provide promised funding for the Joint Council of Municipalities, ensure fair employment benefit practices, equal economic opportunity and the non-discriminatory application of the rule of law.

Implementation of employment and other reintegration agreements

23. The Government of Croatia has generally complied with agreements relating to employment rights for those in public enterprises and institutions. The majority of Serb workers provided with work contracts remain in their employment and receive salaries and benefits comparable to those of their Croatian counterparts. Among those no longer employed, most have departed from their workplaces voluntarily, no longer wishing to remain either in the region or in Croatia. Some have retired and a few have been released because of non-performance. No employee in public enterprises and institutions was forced to relocate outside the region. Some, however, requested transfers, which were granted when suitable posts were available in other areas.

24. Agreements on the reintegration of the educational system have also generally been met, with one important exception. The moratorium on the teaching of the history of the former Yugoslavia during the period from 1989 to 1997 is not being complied with. Textbooks containing the history of the period have been supplied to some schools in the region. The provision of such textbooks is contrary to both the agreement on education and to the Government's stated policy of promoting reconciliation. The agreement for translation of textbooks into languages other than Croatian is now being implemented and new books should be distributed to schools by December.

The law on convalidation

25. The law on convalidation, passed in September 1997, is not being implemented in a comprehensive manner. The Ministries of Health, Education, Justice and the Interior have initiated procedures to recognize the years of service of those employees who worked under the "Republika Srpska Krajina (RSK)" regime. However, as the Ministry of Labour and Social Welfare has not yet issued implementing instructions, other government departments, public enterprises and institutions have also refrained from doing so. Overall, there is still no consistent administrative procedure for implementing the law. In the case of former socially owned enterprises where the workforce has been significantly reduced, the inability to gain recognition for years of service under the "RSK" regime is having a significant negative impact. In such cases, workers who would otherwise be eligible for pensions and other social security benefits cannot obtain them.

Progress in reconciliation

26. Since my report of 11 June 1998, there has been almost no progress in the implementation of the Government's national reconciliation plan. The National Committee for the Establishment of Trust has not met for the past two months. Local reconciliation committees within the region are inactive and report that they, too, have not met, as there is no encouragement from higher levels for them to do so. Reconciliation committees are almost non-existent in areas of Serb returns. Both television and print media, including those under State control, continue to give space to rhetoric that undermines reconciliation.

Implementation of the amnesty law

27. Inconsistency and confusion characterize the implementation of the amnesty law. There have been statements by representatives of the local judiciary that "war crimes" trials will resume again after the departure of the international community, and there are signs that lower level courts may be continuing to prepare indictments for crimes that should be covered by the amnesty law. This situation does not contribute to local confidence in the region.

Functioning of local municipalities

28. All the municipalities in the region are functioning with the exception of Vukovar. As noted in my previous report (S/1998/500, para. 30), the Vukovar City Council remains deadlocked. This situation is a serious impediment to Croat returns and to the economic revitalization of the city. The continued non-functioning of the City Council appears to be due to the inability of local leaders of both ethnicities to work together, despite an agreement between the Croatian Democratic Union and the Independent Serb Democratic Party to do so. Unwillingness on the part of senior Croatian Democratic Union representatives at the national level to intervene to ensure that the agreement is implemented has not helped matters.

The Joint Council of Municipalities

29. A permanent solution to the question of the funding of the Joint Council of Municipalities, established under the Basic Agreement (see S/1995/951, annex), has yet to be found and the Council still lacks an appropriate legal status. Repeated promises by the Government to abide by its commitments have not materialized. At present, the Council is on the brink of collapse. This situation constitutes a substantial breach of the Government's commitments.

Economic reconstruction

30. Economic revitalization and reconstruction in the region and other war-affected areas are important elements in creating an environment supportive of sustainable returns. The Government of Croatia has stated that it intends to organize a donors' conference before the end of the year to attract international funds for reconstruction. The international community has conditioned the provision of funds upon the production of a nationwide comprehensive and non-discriminatory reconstruction plan and on progress in the implementation of the return programme. The Government aims to present its reconstruction plan by the end of September. The United Nations Development Programme has provided a reconstruction expert to support the Government's efforts to prepare the plan.

31. It will be recalled that in its resolution 1037 (1996) of 15 January 1996, the Security Council entrusted UNTAES with the responsibility of assisting in the coordination of the development and economic reconstruction of the region. To that end, UNTAES organized two donors' conferences to obtain funds for projects within the region and was able to raise some $40 million. Those funds have now been fully disbursed, either through the United Nations Trust Fund or

through bilateral arrangements, for projects such as reconstruction and demining and seminars to support reconciliation.

The Article 11 Commission

32. The Article 11 Commission is a key instrument in encouraging the Government of Croatia to meet its obligations fully. The Commission has continued to play an important role in focusing international attention on the region and on the issues affecting it. The Commission took a leading role in coordinating international involvement in the development of the Government's return programme (see para. 15 above). The Commission's continued close involvement in monitoring the Government's compliance with its commitments and reminding it of its obligations when necessary will be essential to ensure the successful completion of the peaceful reintegration of the region.

V. COOPERATION WITH THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE

33. The Support Group has continued to cooperate closely with OSCE at all levels. Coordination of activities, which has enhanced the efficiency of operations and prevented duplication, continues to be ensured through regular meetings at the level of heads of mission and through twice-weekly coordination meetings in the region. The Support Group also provides advice to OSCE on the reintegration agreements that it has the responsibility of monitoring.

34. On 25 June 1998, the OSCE Permanent Council, in its decision No. 239, expressed the readiness of OSCE to deploy civilian police monitors to assume the responsibilities of the Support Group personnel deployed in the Croatian Danube region. A long-term monitoring presence in the region had been foreseen in article 10 of the Basic Agreement (see S/1995/951, annex). On 13 August 1998, in response to the letter of my Representative dated 31 March 1998 (see S/1998/500, para. 39), the head of the OSCE mission in Croatia wrote to my Representative to thank the Support Group for its support and to confirm the steps taken by OSCE to facilitate the transition of activities from the Support Group to OSCE. My Representative has extended full cooperation to OSCE in planning its police operation.

35. To that end, the Support Group and OSCE have established a joint steering committee to oversee the transition process. Two joint working groups dealing with police-related matters and logistics have also been established. The groups have made good progress. Logistic support has been provided to OSCE and arrangements to use many of the facilities of the Support Group have been confirmed. An operational concept, very similar to that used by the Support Group, has been developed. OSCE has received many pledges from nations willing to contribute police monitors, many of whom are already serving with the Support Group. A Police Commissioner for the OSCE mission has already been selected. During the planning for the OSCE mission, my Representative has emphasized that, in order to ensure effective monitoring, the mission should have the same broad access to information and competencies and operate under the same conditions as the Support Group. Most importantly, there should be no gap between the incoming and outgoing operations.

VI. DRAWDOWN OF THE SUPPORT GROUP

36. As indicated in my previous report (S/1998/500, para. 46) and endorsed by the Security Council in its presidential statement of 2 July 1998, the downsizing of the Support Group began in mid-August. At present, the strength of the Support Group is 136 civilian police monitors. By the end of September, it is planned to further reduce that number to 120. The gradual drawdown of the Support Group is intended to ease the transition to the OSCE police monitoring mission, which will deploy the first of its 120 police monitors in the region by mid-September.

VII. OBSERVATIONS

37. The performance of the Croatian police in the region has shown commendable improvement over the past three months. The building of a functioning multi-ethnic police force is a noteworthy achievement, which can serve as a model for other areas of potential return. There is, however, more work to be done before the police can enjoy local confidence and prove itself to be fully capable of policing a multi-ethnic community effectively and impartially. The wide gap between the actual security provided by the police and the perception of security held by many Serb residents has been an important factor leading to the continuing departure of Serbs from the region. Maintaining the ethnic balance of the police force, including by recruiting non-Croat officers in the future, will, therefore, be an essential element in preserving the prospects for multi-ethnicity in the region and in enhancing confidence in the police force. This should remain a priority for the Government of Croatia.

38. International monitoring and advice have been essential factors in securing improvements in police performance. The close attention paid to operations in the region by the Minister of the Interior and his two deputies has also played an important part. Nonetheless, no significant effort has been made by the Government to strengthen public confidence in the police by carrying out an active public information programme or by instituting a community policing programme. It is essential that those steps be taken to ensure that the police force is viewed as an integral part of the community it serves.

39. As pointed out in my previous report (S/1998/500, para. 43), improved police performance is not, however, sufficient by itself to offset the range of outstanding problems that create a climate that fosters ethnic hatred, intolerance and intimidation. The worrisome increase in violent ethnic incidents and the increase in the number of repeat offenders over the past three months underscores the lack of effective Government action to discourage such crimes. I would again urge the Government to take preventive action to deter such incidents and to address their outstanding root causes on an urgent basis.

40. I am also concerned that follow-up by both the police and the courts to incidents of intimidation and harassment is still inadequate. In addition, there have been cases in which local police officers have allowed their performance to fall below normal professional standards or have breached either their instructions or the provisions of Croatian law. It is important, therefore, that comprehensive international police monitoring continue to

sustain local confidence, to ensure that acceptable standards of policing are maintained and to secure the improvements in police performance made so far.

41. Overall, the Government of Croatia has taken a number of steps towards meeting its commitments to the international community. It has generally met its employment and other obligations concluded in various reintegration agreements with UNTAES. A comprehensive nationwide return programme has been introduced, and some discriminatory legislation has been repealed. Positive steps to implement the return programme have been taken, although it is still too early to judge the effectiveness of the programme. International police monitoring in the region has helped to instil confidence in the return process. Monitoring in other areas of return could provide similar reassurance to potential returnees.

42. On the other hand, as noted in paragraphs 25 to 28 above, key issues related to two-way returns remain unresolved, some discriminatory legislation remains in force, implementation of the convalidation law remains incomplete, the Government's commitments to the Joint Council of Municipalities are unfulfilled, and the national reconciliation programme has not been vigorously pursued. All of these issues and, in particular, the failure to refocus attention on national reconciliation could seriously undermine the effectiveness of the return programme. In addition, lack of employment and economic reconstruction and little confidence in the future continue to impede returns. While statements by some Government officials have suggested that effective implementation of the return plan is conditioned upon the receipt of international financial support, it must be stressed that the ultimate responsibility in this matter lies with the Government. Nonetheless, continued international support to facilitate two-way returns will be needed.

43. In order to secure international assistance in the economic development of areas of return in Croatia, it is important that the Government ensure that its plans are transparent, non-discriminatory and comprehensive. These plans should address the creation of employment opportunities, particularly for young people, the stimulation of community links and the promotion of reconciliation. Such an approach could encourage displaced persons of all ages to return to their homes throughout Croatia and promote shared interests and confidence between ethnic communities. It would also encourage original residents to remain in the region, thus helping to ensure that its multi-ethnic character is maintained.

44. The overall level of measurable security in the region remains satisfactory. The risk of being subject to any kind of criminal activity is low, with the exception, unfortunately, of the Serb and minority communities, which continue to experience intimidation and more serious criminal acts as a result of property disputes and ethnic intolerance. Taking into account the stability of the security situation I am confident that the Support Group can continue with the drawdown of its personnel and terminate its operations as scheduled on 15 October 1998. I am also confident that, from that date, OSCE will successfully assume responsibilities for international monitoring, and I wish it well in that endeavour.

45. In closing, I should like to thank my Representative, Mr. Souren Seraydarian, as well as the Police Commissioner, Mr. Halvor Hartz, and the men and women of the Support Group for their dedication and perseverance in successfully carrying out the tasks entrusted to them by the Security Council.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1998/888
24 September 1998

ORIGINAL: ENGLISH

LETTER DATED 23 SEPTEMBER 1998 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to my letter dated 22 September 1998 (S/1998/885), I have the honour to attach herewith an editorial published in The New York Times of 23 September 1998 on the American attack against Al-Shifa pharmaceutical plant in the Sudan last month.

The paper stated that the Central Intelligence Agency had recently concluded that reports that had appeared to document a clear link between the Sudanese Government and terrorist activities were fabricated and unreliable.

I should be grateful if you could circulate the present letter and its annex as a document of the Security Council.

(Signed) Elfatih ERWA
Permanent Representative

98-28108 (E) 240998

Annex

Editorial published in The New York Times of 23 September 1998

Dubious Decisions on the Sudan

Almost immediately after American missiles destroyed the Shifa pharmaceutical plant in the Sudan last month, serious questions arose about whether the Clinton Administration had targeted the right factory. The Administration insisted that the factory was producing nerve gas for terrorists. But a report in Monday's Times by Tim Weiner and James Risen reveals that the decision to attack the plant was based in part on incomplete information and inference.

The Administration argues that it nevertheless had enough to go on to justify the attack. But the launching of deadly American missiles requires more solid and convincing evidence than Washington appears to have had in this case.

The crucial decisions leading up to the attack were made by a narrow group of top national security officials meeting alone. Knowledgeable staff members were excluded to assure secrecy. With America's Embassy in Khartoum closed, up-to-date information was scarce. Hard proof linking the Shifa factory to terrorism and nerve gas production was elusive, and the indirect evidence that was available was incomplete and open to conflicting interpretations. In addition, the Central Intelligence Agency had recently concluded that reports that had appeared to document a clear link between the Sudanese Government and terrorist activities were fabricated and unreliable.

Soon after the Aug. 20 missile attack, the Administration was compelled to retreat from its claims that the Shifa factory had been directly financed by Osama bin Laden, the alleged terrorist linked to the deadly attacks on two American Embassies in Africa. Washington still insists that soil samples in American possession conclusively prove that an early stage of nerve gas production was taking place at the plant. But Western scientists who recently worked at the plant insist they knew of no nerve gas work.

Instead, they say, Shifa was the Sudan's main source of locally needed agricultural chemicals and veterinary medicines. Whether or not it turns out that the United States destroyed the Shifa plant in error, Washington should offer to replace any lost production of agricultural and veterinary products from the plant. It does not help the war against terrorism to hurt innocent civilians.

Washington's nerve gas allegations may well be correct. But the record badly needs to be clarified. Wrongly, the Administration has resisted calls for independent verification of soil samples from the plant. It should agree to such review.

The United States is entitled to use military force to protect itself against terrorism. But the case for every such action must be rigorously established. In the case of the Sudan, Washington has conspicuously failed to prove its case.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1998/889
24 September 1998

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS IRAQ-KUWAIT OBSERVATION MISSION

(24 March 1998-23 September 1998)

I. INTRODUCTION

1. The present report provides an account of developments and activities in respect of the mandate entrusted to the United Nations Iraq-Kuwait Observation Mission (UNIKOM), in accordance with Security Council resolutions 687 (1991) of 8 April 1991, 689 (1991) of 14 June 1991 and 806 (1993) of 5 February 1993. It covers the period from 24 March 1998 to 23 September 1998.

II. DEVELOPMENTS IN THE DEMILITARIZED ZONE

2. The situation in the demilitarized zone remained generally calm. During the period under review, UNIKOM carried out its normal operations without interruption.

3. The number of violations in the demilitarized zone dropped from 175 to 67 since my last report. In one violation, on 30 June, UNIKOM, while investigating an explosion reported by the Iraqi side, discovered fragments and the main body of a high-speed anti-radiation missile at a fuel storage located approximately 12 kilometres west of Umm Qasr on the Iraqi side of the demilitarized zone.

4. There were 19 ground violations. One violation involved a group of 21 Iraqi men, women and children who crossed the border into Kuwait seeking asylum. UNIKOM promptly informed the Kuwaiti and Iraqi authorities, as well as the representative of the Office of the United Nations High Commissioner for Refugees (UNHCR). The UNHCR representative interviewed the group and determined that they did not quality for refugee status. Accordingly, UNIKOM handed them over to the Iraqi authorities. Five unauthorized border crossings by Iraqi policemen and civilians and one by Kuwaiti policemen were recorded. An incident occurred when two uniformed military officers of the United States of America entered the demilitarized zone to visit UNIKOM headquarters in Iraq without obtaining prior permission from UNIKOM. They were stopped by UNIKOM guards before crossing the border to Iraq. The other 11 incidents were weapons

violations which included an incident of pointing of rifles by Iraqi policemen at a United Nations military observer; five firings of small arms on the Iraqi side of the demilitarized zone and one incident of firing by Kuwaiti policemen during hunting; and the sighting of weapons, once at a Kuwaiti police post and twice at Iraqi police posts.

5. There was one maritime violation in the Khawr Abd Allah waterway and 46 air violations. The maritime violation in the Khawr Abd Allah waterway was recorded when a civilian Iraqi vessel drifted across the border and ran aground at Warbah island. The 46 air violations mostly involved unidentified aircraft flying at high altitude. On 18 occasions, however, the aircraft were identified as A-6, F-14, F-16, F-18, Tornado, Black Hawk helicopter and C-130 military planes. Such aircraft are used by the coalition forces in the region, but the nationalities could not be identified.

6. UNIKOM also recorded several minor incidents mainly involving the throwing of stones at UNIKOM patrol vehicles by Iraqi children and the erection of small barricades on patrol roads on the Iraqi side by unknown persons. In one case, a Kuwaiti-registered vehicle belonging to a catering contractor engaged by UNIKOM erroneously crossed the border and was confiscated by the Iraqi police. UNIKOM is making efforts to retrieve the vehicle.

7. A total of 12 complaints were received, 9 from Kuwait and 3 from Iraq. Kuwait lodged complaints regarding four territorial violations and five maritime violations. The complaints from Iraq were about maritime violations. All these complaints could not be verified because of the time that had elapsed between the alleged incident and receipt of the complaint.

8. The number of vessels docking at the Iraqi port of Umm Qasr increased from 125 to 135 since the last review. The vessels were under the 'oil-for-food' programme and their cargo consisted mainly of wheat, rice, sugar, beans, tea and ghee.

9. Oil-drilling activity was mainly concentrated on the Kuwaiti side at the Al-Ratqa oilfield. On the Iraqi side, drilling was stopped at Rumaylah owing to lack of spare parts for the rig. Recently, however, one rig started drilling on the Iraqi side of the Al-Ratqa oilfield.

10. The electric fence which Kuwait is erecting along the border has almost reached the southern limit of the demilitarized zone. The remote control system for the gates in the fence is, however, not yet operational. UNIKOM patrols encountered problems of access through the gates on 15 occasions, particularly during the months of April and May. This problem has now been resolved after discussions with the Kuwaiti authorities.

11. Construction work at the Warbah island project, which is aimed at improving UNIKOM's monitoring of the Khawr Abd Allah waterway, is continuing. The estimated completion time is the last quarter of 1998. The remaining work consists of the erection of a communications tower on Warbah island and the installation of a floating pier.

12. UNIKOM continued to dispose of unexploded mines and bomblets in the demilitarized zone. A total of 5,823 unexploded devices, including 1,489 bomblets, 311 rockets, 566 mortar bombs, among them a United States MK-84 bomb weighing 2,000 pounds, and 3,457 artillery and other rounds, were destroyed. Unexploded mines and other ordnance inside the demilitarized zone, mostly on the Iraqi side, continued to cause casualties among civilians living and working in the area.

13. UNIKOM provided security and logistic support for the meetings of the Technical Subcommittee on Military and Civilian Missing Prisoners of War and Mortal Remains, which were held under the auspices of the International Committee of the Red Cross (ICRC) on 15 April, 20 May, 17 June, 28 July and 31 August 1998. The meetings were conducted in the demilitarized zone, alternately at UNIKOM headquarters in Umm Qasr, Iraq, and at the UNIKOM support base at Camp Khor, Kuwait. ICRC representatives from Iraq and Kuwait, delegations from Iraq and Kuwait, and observers from France, Saudi Arabia, the United Kingdom of Great Britain and Northern Ireland and the United States of America attended the meetings.

14. UNIKOM continued to maintain close and regular liaison with the authorities of both Iraq and Kuwait at various levels, including through its liaison offices in Baghdad and Kuwait City. Both parties cooperated with the Mission in the conduct of its operations.

III. ORGANIZATIONAL MATTERS

15. As at 1 September 1998, the overall strength of UNIKOM was 1,304, as follows:

(a) A total of 195 military observers, from Argentina (4), Austria (6), Bangladesh (5), Canada (5), China (11), Denmark (5), Fiji (5), Finland (5), France (11), Ghana (6), Greece (5), Hungary (5), India (5), Indonesia (5), Ireland (6), Italy (5), Kenya (4), Malaysia (6), Nigeria (5), Pakistan (6), Poland (5), Romania (6), the Russian Federation (11), Senegal (5), Singapore (6), Sweden (5), Thailand (5), Turkey (7), the United Kingdom (11), the United States (11), Uruguay (6) and Venezuela (2);

(b) An infantry battalion of 772 from Bangladesh;

(c) An engineering unit of 50 from Argentina;

(d) A logistics unit of 34 from Austria;

(e) A helicopter unit of 35 from Bangladesh;

(f) A medical unit of 13 from Germany;

(g) A total of 205 civilian staff, of whom 58 were recruited internationally.

Major General Esa Tarvainen (Finland) continued as Force Commander.

IV. FINANCIAL ASPECTS

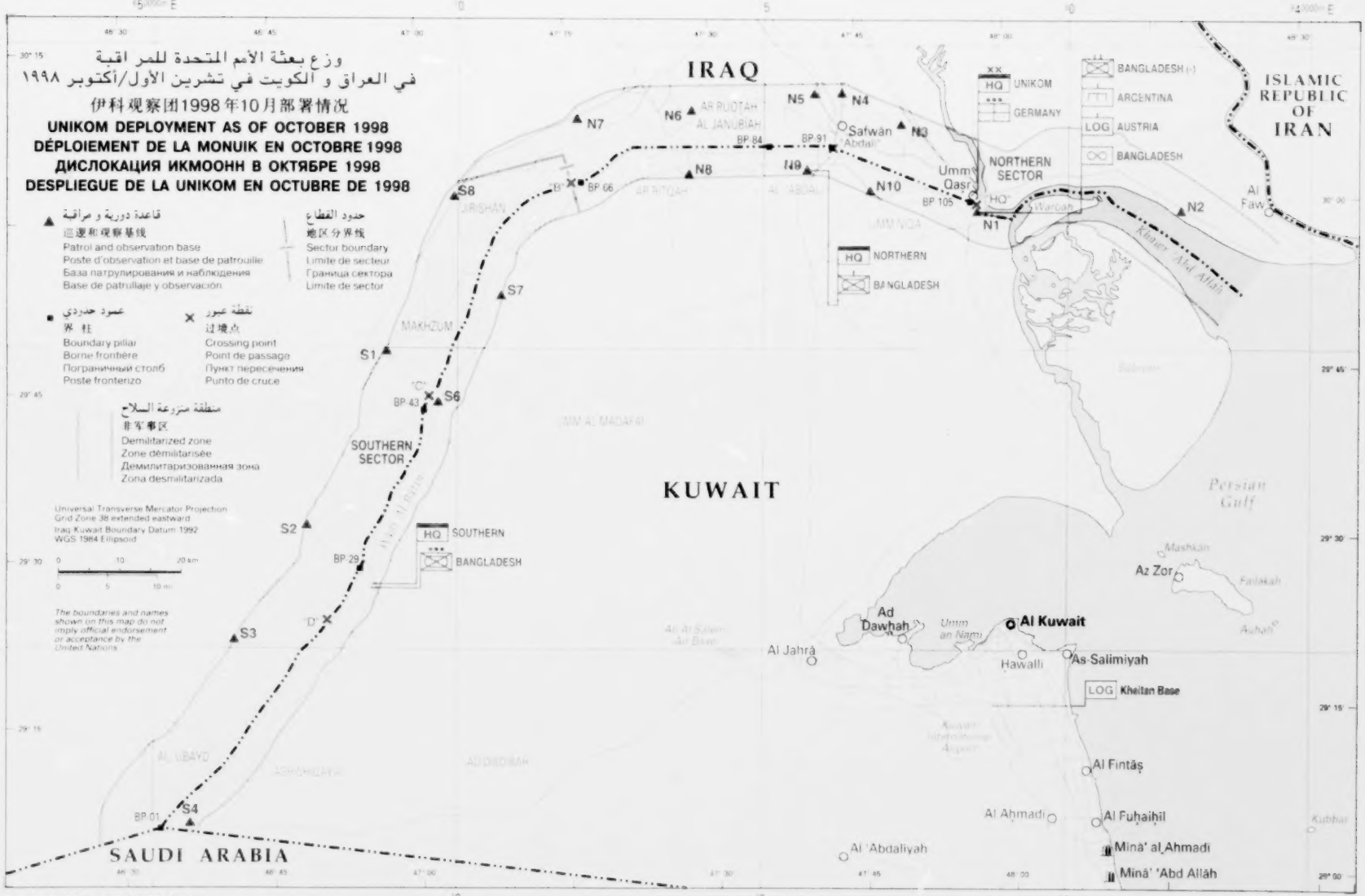
16. The General Assembly, in its resolution 52/238 of 26 June 1998, appropriated $52,143,800 gross for the maintenance of UNIKOM for the period from 1 July 1998 to 31 June 1999, subject to review by the Security Council with regard to the question of termination or continuation of the Mission. Two thirds of the cost of the Mission, equivalent to $33.5 million, is to be funded through voluntary contributions from the Government of Kuwait. Assessments on Member States have been made for the period ending 31 October 1998. The Government of Kuwait has paid its voluntary contributions in full through 30 June 1998 and an additional amount of $5.7 million has been paid through 31 October 1998.

17. As at 22 September 1998, unpaid assessed contributions to the Special Account for UNIKOM since the inception of the Mission through 31 October 1998 amounted to $14.8 million, representing some 6 per cent of the assessment for the Mission. The unpaid assessed contributions for all peacekeeping operations amounted to $1.8 billion.

V. OBSERVATIONS

18. During the past six months, UNIKOM continued to contribute to the maintenance of calm and stability in the demilitarized zone. The situation along the border was generally quiet. UNIKOM received the cooperation of the Kuwaiti and Iraqi authorities in discharging its duties. I recommend that the Mission be maintained.

19. In conclusion, I wish to pay tribute to Major-General Tarvainen and the men and women under his command for the manner in which they have discharged their responsibilities. Their discipline and bearing have been of a high order, reflecting credit on themselves, on their countries and on the United Nations.


وزع بعثة الأمم المتحدة للمراقبة
في العراق و الكويت في تشرين الأول/أكتوبر ١٩٩٨
伊科观察团1998年10月部署情况
UNIKOM DEPLOYMENT AS OF OCTOBER 1998
DÉPLOIEMENT DE LA MONUIK EN OCTOBRE 1998
ДИСЛОКАЦИЯ ИКМООНН В ОКТЯБРЕ 1998
DESPLIEGUE DE LA UNIKOM EN OCTUBRE DE 1998
قاعدة دورية و مراقبة
巡逻和观察基线
Patrol and observation base
Poste d'observation et base de patrouille
База патрулирования и наблюдения
Base de patrullaje y observación
حدود القطاع
地区分界线
Sector boundary
Limite de secteur
Граница сектора
Límite de sector
عمود حدودي
界 柱
Boundary pillar
Borne frontière
Пограничный столб
Poste fronterizo
نقطة عبور
过境点
Crossing point
Point de passage
Пункт пересечения
Punto de cruce
منطقة منزوعة السلاح
非军事区
Demilitarized zone
Zone démilitarisée
Демилитаризованная зона
Zona desmilitarizada
Universal Transverse Mercator Projection
Grid Zone 38 extended eastward
Iraq-Kuwait Boundary Datum 1992
WGS 1984 Ellipsoid
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
IRAQ
KUWAIT
SAUDI ARABIA
ISLAMIC REPUBLIC OF IRAN
NORTHERN SECTOR
SOUTHERN SECTOR
HQ UNIKOM
GERMANY
BANGLADESH (-)
ARGENTINA
AUSTRIA
BANGLADESH
HQ NORTHERN
BANGLADESH
HQ SOUTHERN
BANGLADESH
LOG Kheitan Base
N1
N2
N3
N4
N5
N6
N7
N8
N9
N10
S1
S2
S3
S4
S6
S7
S8
BP 01
BP 29
BP 43
BP 66
BP 84
BP 91
BP 105
Safwān
Umm Qasr
Warqan
Al Faw
Az Zor
Mashkan
Failakah
Ad Dawhah
Umm an Namil
Al Kuwait
Al Jahrā
Hawalli
As Salimiyah
Al Fintās
Al Ahmadi
Al Fuhaihil
Kubbar
Al 'Abdaliyah
Mina' al Ahmadi
Mina' 'Abd Allāh
Persian Gulf
Khawr 'Abd Allāh
Kuwait International Airport
Ar Ar Sawm Air Base
AR RUQTAH
AL JANUBIAH
AL 'ABDALI
UMM QUDAYR
MAKHZUM
UMM AL MADAFI
AL BAYD
ADDIDIBAH
Map No. 3637 Rev. 15 UNITED NATIONS
October 1998
Department of Public Information
Cartographic Section

UNITED NATIONS **S**

Security Council

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S/1998/890
24 September 1998
ENGLISH
ORIGINAL: CHINESE, ENGLISH, FRENCH AND RUSSIAN

LETTER DATED 24 SEPTEMBER 1998 FROM THE REPRESENTATIVES OF CHINA, FRANCE, THE RUSSIAN FEDERATION, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA ADDRESSED TO THE SECRETARY-GENERAL

We have the honour to transmit herewith the text of the statement issued after the meeting which you had with our Ministers for Foreign Affairs on 24 September 1998. We should be grateful if you would have it circulated as a document of the Security Council.

(Signed) QIN Huasun
Permanent Representative of
China to the United Nations

(Signed) Alain DEJAMMET
Permanent Representative of
France to the United Nations

(Signed) Sergei V. LAVROV
Permanent Representative of
the Russian Federation to
the United Nations

(Signed) Jeremy GREENSTOCK
Permanent Representative of the
United Kingdom of Great Britain
and Northern Ireland to the
to the United Nations

(Signed) A. Peter BURLEIGH
Chargé d'affaires a.i. of
the United States of America
to the United Nations

Annex

Statement issued on 24 September 1998 by the Ministers for Foreign Affairs of the five permanent members of the Security Council following a meeting with the Secretary-General

1. On 24 September 1998, the Ministers for Foreign Affairs of the five permanent members met the Secretary-General of the United Nations, H.E. Mr. Kofi A. Annan. H.E. Mr. Tang Jiaxuan, Minister for Foreign Affairs, represented the People's Republic of China; H.E. Mr. Hubert Vedrine, Minister for Foreign Affairs, France; H.E. Mr. Sergei Lavrov, Permanent Representative to the United Nations, the Russian Federation; H.E. Mr. Robin Cook, Secretary of State for Foreign and Commonwealth Affairs, the United Kingdom of Great Britain and Northern Ireland; and H.E. Ms. Madeleine Albright, Secretary of State, the United States of America.

2. The Ministers reaffirmed their strong support for the United Nations and for comprehensive United Nations reform. They welcomed the Secretary-General's Track One and Track Two reform packages and relevant resolutions of the General Assembly. They expressed satisfaction with the work undertaken at the 1998 substantive session of the Economic and Social Council on enhancing the efficiency and effectiveness of its functional and regional commissions and other subsidiary bodies. During the fifty-third session of the General Assembly, they will strive to complete implementation of measures already approved and to pursue further several Track Two measures which remain under consideration. The Ministers affirmed their determination to resolve the serious financial problems confronting the United Nations. In this regard, they stressed that all Member States should remain current in their payment of assessments.

3. The Ministers reaffirmed their support for the reform of the Security Council through enlargement of its membership. They also expressed support for additional steps to strengthen the effectiveness and efficiency of the work of the Council.

4. The Ministers, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, reaffirmed the universality of the rights proclaimed in the Declaration. The Ministers also highlighted the five-year review of the World Conference on Human Rights. They endorsed the Economic and Social Council's agreed conclusions on the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action.

5. The Ministers stressed the primary responsibility of the Security Council under the Charter of the United Nations for the maintenance of peace and security. They reaffirmed that the Organization must further improve its ability to act quickly and effectively to address threats to international peace and security. They indicated their determination to continue to help develop the capacities of the United Nations in preventing and resolving conflicts including through conduct of peacekeeping operations. The Ministers welcomed the growing cooperation between the United Nations and regional organizations in

maintaining stability and security in accordance with Chapter VIII of the Charter of the United Nations. They expressed concern at increasing incidents of violence and interference with United Nations personnel and personnel of international humanitarian organizations. The Ministers called on Member States to safeguard the safety and security of all personnel of the United Nations and international humanitarian organizations and to facilitate their freedom of access in the implementation of their missions.

6. The Ministers stressed the need for the international community to continue to reinforce its efforts in the field of disarmament and to prevent the spread of weapons of mass destruction. The Ministers reaffirmed the need for universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons. They indicated that the conclusion of the Comprehensive Nuclear-Test-Ban Treaty marked a qualitatively new stage in the nuclear non-proliferation and disarmament process. They reaffirmed their support for the immediate commencement and early conclusion of negotiations on a treaty to ban the production of fissile material for nuclear weapons or other nuclear explosive devices and welcomed in this context the establishment of an ad hoc committee in the Conference on Disarmament. They also reaffirmed the importance they attach to the fact that the Chemical Weapons Convention entered into force in 1997. They stressed the importance of universal adherence to the Chemical Weapons Conventions, the Convention on certain Conventional Weapons and to the 1996 Protocol on Mines, Booby Traps and Other Devices. They called for the establishment of an ad hoc committee in the Conference on Disarmament to negotiate a ban on transfer of anti-personnel landmines. They called for an early conclusion to negotiations under way on a legally binding protocol to strengthen the effectiveness of the Biological and Toxin Weapons Convention. The Ministers emphasized the importance of a strong and reliable nuclear safeguards system. In light of this, they welcomed the progress made by Member States and the International Atomic Energy Agency (IAEA) in negotiating additional protocols to the safeguards agreements and urged States that have not yet done so to conclude as soon as possible their non-proliferation treaty safeguards agreements with IAEA and to finalize a new safeguards protocol to permit implementation of strengthened safeguards measures as widely as possible.

7. The Ministers reaffirmed their Joint Communiqué of 4 June 1998 condemning the nuclear tests carried out by India, and then by Pakistan, in May 1998. They expressed their continued deep concern about the danger caused by these tests to peace and stability in the region. They reiterated their pledge to cooperate closely in urgent efforts to prevent a nuclear and missile arms race in the subcontinent, ard to bolster the global non-proliferation regime. To this end, the Ministers called on India and Pakistan to undertake serious discussions to address their bilateral disputes, and to implement comprehensively and without delay all the provisions of Security Council resolution 1172. The Ministers encouraged India and Pakistan to try to build confidence rather than to seek confrontation. They expressed disappointment at the lack of progress in discussions between the two parties. The Ministers reaffirmed their readiness to assist India and Pakistan, in a manner acceptable to both sides, in promoting reconciliation, cooperation and a peaceful resolution of their differences, including Kashmir. They urged both parties to avoid threatening military movements, cross-border violations or other provocative acts.

8. The Ministers reaffirmed their determination to combat terrorism in all forms, irrespective of motive, wherever and by whomever committed. They emphasized the necessity to intensify the fight against terrorism at the national level and to strengthen effective international cooperation in this field. In this regard, the Ministers stressed the need to oppose concessions to terrorist demands and to deny hostage-takers any benefits from their acts. The Ministers expressed their commitment to ensuring that terrorists are brought to justice. Ministers called upon all States to take steps to ensure that their territory is not used as a safe haven for terrorists. They commended continuing diplomatic efforts to promote universal accession and adherence to the international anti-terrorist conventions and to adopt effective and legitimate means and measures, including new international instruments, in order to counter the terrorist threat.

9. The Ministers expressed deep concern at the persistence of conflict, both within and between States, in many parts of Africa. They welcomed the efforts of the United Nations, in partnership with the Organization of African Unity (OAU) and subregional organizations and arrangements, to promote peace and stability and to settle conflicts by peaceful and political means. They also stressed the importance they attach to assistance to African countries in their efforts to enhance their capacities for peacekeeping and conflict prevention.

The Ministers welcomed the Secretary-General's report on Africa, which provided useful recommendations for national and international actions to promote durable peace and sustainable development in Africa. They urged all United Nations bodies to consider and, as appropriate, implement the recommendations contained in the report within their respective mandates. They welcomed the convening of a ministerial level meeting of the Security Council on 24 September 1998 to follow up on actions to implement the recommendations of the report.

The Ministers expressed deep concern at the deteriorating political and security situation in Angola, which is primarily due to the failure by the União Nacional para a Independência Total de Angola (UNITA) to complete its obligations under the Lusaka Protocol. They demanded that UNITA fulfil its obligations to demilitarize and to permit the extension of State administration throughout the national territory. They called on the Government of Angola to respect fully the legal activities of UNITA and the rights of all Angolan citizens. They called on the Government of Angola and UNITA to reject military action and to seek a peaceful resolution of the crisis on the basis of the Lusaka Protocol. They also urged all States to promote such peaceful objectives.

The Ministers expressed serious concern at the recent conflict in the Democratic Republic of the Congo. They called on all States in the region to respect the national sovereignty and territorial integrity of the Democratic Republic of the Congo and urged a peaceful solution to the conflict in the Democratic Republic of the Congo. They emphasized the need for the Democratic Republic of the Congo to respect the rights of all segments of the population. The Ministers were particularly concerned about recent ethnically motivated killings and reminded all parties of their obligations under international humanitarian law. The Ministers reaffirmed the importance of holding an

international conference on peace, security and development in the Great Lakes region.

While encouraged by the re-installation of the democratically elected Government of Sierra Leone, the Ministers conveyed deep concern over the atrocities being committed against Sierra Leonean people by members of the Revolutionary United Front (RUF) and the former junta. The Ministers expressed satisfaction with the establishment of a United Nations observer mission in Sierra Leone (UNOMSIL) to monitor and advise the Government and the Economic Community of West African States (ECOWAS) efforts towards disarmament, demobilization, and the reintegration of former combatants.

The Ministers remained concerned by the situation in Burundi and welcomed recent progress in the internal dialogue and the all-party Arusha talks. They expressed hope that these mediation efforts would produce a peaceful resolution to the conflict and that the progress achieved would enable a decision to be taken on the lifting of sanctions.

The Ministers expressed satisfaction with the deployment in April of a United Nations peacekeeping mission in the Central African Republic (MINURCA) to follow on and consolidate the results achieved by the inter-African force (MISAB). They supported its role in maintaining peace and security and creating an environment conducive to holding elections while the Government of the Central African Republic implements economic and political reforms.

The Ministers expressed concern over the continuing crisis between Eritrea and Ethiopia. They called for the parties to refrain from further use of force and to continue to respect the moratorium on air strikes. They also urged the parties to seek a peaceful resolution of their dispute in conformity with the decision of the Heads of State and Government of the Organization of African Unity of 10 June 1998 and with Security Council resolution 1177.

10. The Ministers expressed their support for the activities of the Security Council, the Secretary-General and interested Member States to promote a comprehensive settlement of the conflicts in both Abkhazia, Georgia, and Tajikistan. They expressed their appreciation for the Russian Federation's efforts to that end and for the contribution made by it to the peacekeeping forces of the Commonwealth of Independent States. They expressed satisfaction for the close cooperation between the United Nations missions (UNOMIG and UNMOT) and the peacekeeping forces of the Commonwealth of Independent States, and stressed the importance of continued close cooperation and coordination between them. The Ministers also welcomed the efforts of the Co-chairs of the Minsk Conference of the Organization for Security and Cooperation in Europe (OSCE) to promote a resolution of the Nagorny Karabakh conflict.

The Ministers called on the Tajik parties to complete the full implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan, signed in Moscow on 27 June 1997. They called upon the international community to assist the effective implementation of the accords.

The Ministers expressed their concern at the stalemate in the peace process in Abkhazia, Georgia, and the deterioration in the security situation, especially in the Gali region, including attacks on peacekeeping forces of the Commonwealth of Independent States and United Nations personnel. They also called on the parties to the conflict in Abkhazia, Georgia, to engage without delay in a sincere effort to achieve substantial results on the key issues of the conflict.

11. The Ministers expressed their serious concern at the renewed fighting in Afghanistan, causing a growing threat to regional peace and security. They reiterated their support for Security Council resolution 1193 and called for its full implementation. They called upon the warring Afghan parties to implement immediately a durable cessation of hostilities. They warned against outside interference in the affairs of Afghanistan and called for an end to the external supply of arms and ammunition and the involvement of foreign military personnel. The Ministers fully supported the efforts to facilitate national reconciliation in Afghanistan through intra-Afghan political negotiations under the auspices of the United Nations and the Organization of the Islamic Conference with the active and coordinated assistance of all countries concerned. They stressed the central and impartial role of the United Nations in achieving a peaceful resolution of the Afghan conflict. They welcomed the steps taken by the Secretary-General, including the appointment of a Special Envoy and the establishment of the Six Plus Two group of the neighbours of Afghanistan with the Russian Federation and the United States of America, and encouraged him to continue his efforts.

The Ministers stressed the importance of cooperation by the Afghan parties with the United Nations and other international humanitarian organizations, in particular, the necessity of guaranteeing their personnel safety and freedom of access in the implementation of their missions. The Ministers called on all parties to the conflict to comply with their obligations under international humanitarian law and to demonstrate full respect for the human rights of all civilians in Afghanistan, in particular women and girls, including their protection from the conflict.

12. The Ministers reaffirmed that the status quo in Cyprus is unacceptable and reminded the parties involved of the need to achieve a comprehensive political settlement in accordance with the Security Council resolutions. They supported an early resumption of a sustained process of direct negotiations between the two communities with full commitment to securing such a settlement and to cooperating actively and constructively with the Secretary-General and his Special Adviser on Cyprus, and others in support of the United Nations effort to that end. They further called upon all parties concerned to create a climate for reconciliation and genuine mutual confidence on both sides, and to avoid any actions which might increase tension.

13. The Ministers expressed their deep concern at the persistent difficulties in the Middle East peace process. They condemned vigorously all acts of terrorism and violence in the region. They called upon all parties to implement in full their commitments under existing agreements and to refrain from actions that pre-empt the negotiations and worsen both the political and the economic situation in the Palestinian territories, and to abide scrupulously by their

obligations under international law. They supported the continuing efforts of the co-sponsors of the peace process and also of the European Union and urged all parties to intensify negotiations in the framework of this process and on the basis of the agreements already reached and in accordance with Security Council resolutions 242 and 338 and with the principle of "land for peace". The Ministers expressed their hope that the negotiations between Israel, the Syrian Arab Republic and Lebanon could resume soon on a mutually agreed basis and in accordance with the relevant Security Council resolutions. They urged all interested parties to avoid an escalation of violence and tension in south Lebanon and to continue to cooperate within the monitoring group.

14. The Ministers shared the concern that Iraq remains in contravention of its obligations under the Security Council resolutions and the memorandum of understanding signed with the Secretary-General in February 1998. All believed this situation to be totally unacceptable. They were unanimously of the view that Iraq must respond immediately to Security Council resolution 1194 and resume full cooperation with UNSCOM and IAEA. The Ministers noted that the Secretary-General had presented his view to Security Council members on the comprehensive review of Iraq under the relevant resolutions, as required in Security Council resolution 1194. They agreed that, once Iraq has resumed full cooperation as required by resolution 1194, such a review should take place and that it should address Iraq's compliance and what remains to be done under the relevant resolutions. The Ministers decided that they would work closely with the Secretary-General to bring about the necessary first step in this process - the unconditional resumption of Iraqi cooperation with UNSCOM and IAEA. In the meantime, they would consider how the comprehensive review might be conducted in accordance with resolution 1194. The Ministers looked to Iraq to respond positively, so that UNSCOM's work could resume and progress could be made towards compliance with the Council's resolutions. Only in the event of such compliance could the Council consider further steps, including in respect of sanctions.

15. The Ministers reiterated their determination to see the issues of Pan Am 103 and UTA 772 brought to a speedy and just resolution and, in this regard, called for the early implementation of Security Council resolution 1192.

16. The Ministers welcomed the successful holding of elections in Bosnia and Herzegovina on 12 and 13 September as another important step in implementation of the Peace Agreement and establishment of a united democratic, prosperous and multi-ethnic Bosnia and Herzegovina. The Ministers reiterated the importance of full respect for the rights of refugees and displaced persons to return to their homes in safety. They emphasized the obligations of all parties to the Peace Agreement to cooperate fully with the International Tribunal for the former Yugoslavia. The Ministers urged all authorities in Bosnia and Herzegovina to make further progress in fulfilling their obligations under the Peace Agreement. The Ministers commended the United Nations contribution through its mission in Bosnia and Herzegovina, including the International Police Task Force, to joint efforts to consolidate the implementation of the Peace Agreement.

17. The Ministers noted the successful completion of the United Nations Transitional Administration in Eastern Slavonia (UNTAES) on 15 January 1998 but urged the Government of the Republic of Croatia to intensify its efforts to

facilitate the return of all refugees to their former homes. They expressed the hope that the United Nations police support group and OSCE would effect a smooth transfer of responsibility in October 1998. They highlighted the importance of a resolution through negotiations between the Government of the Republic of Croatia and the Federal Republic of Yugoslavia of the disputed issue of Prevlaka, which would permit the prompt completion of the United Nations Mission of Observers in Prevlaka.

18. The Ministers expressed grave concern over the deterioration of the situation in Kosovo, the Federal Republic of Yugoslavia and called upon the authorities in Belgrade and the Kosovo Albanian leadership to engage immediately in meaningful dialogue to resolve the situation through peaceful means. They underscored the need for an immediate cessation of hostilities and for an end to all acts of violence. They underscored the importance of the commitment by all States to respect the sovereignty and territorial integrity of the Federal Republic of Yugoslavia. The Ministers stressed that urgent measures should be taken promptly to prevent a humanitarian catastrophe in Kosovo. Necessary conditions should be created without delay for the refugees and displaced persons to return freely to the places of their residence before the advent of winter. The scope and acuteness of the problem called for urgent joint actions of the authorities in Belgrade, the Kosovo Albanians and international humanitarian organizations.

19. The Ministers called for concerted efforts to tackle the causes of movements of refugees and displaced persons, expressed their support for the work of the United Nations High Commissioner for Refugees and called for strict respect for the principles of international humanitarian law. They expressed concern at the numerous obstacles put to the delivery of humanitarian aid and called for unhindered access to humanitarian organizations and workers to all in need of it. They expressed concern at the growing number of attacks on humanitarian workers around the world. They stressed that perpetrators of these attacks must be brought to justice. Ministers called for a comprehensive approach to the security of humanitarian personnel. The Ministers welcomed the creation of the Office of the Coordinator for Humanitarian Affairs and expressed support for the work of the Emergency Relief Coordinator.

20. The Ministers reaffirmed their commitment to combat transnational organized crime and all aspects of the illicit drug problem. They welcomed the efforts to elaborate a convention on transnational organized crime and the recent efforts to revitalize the United Nations crime and drug control programmes. The Ministers strongly supported the commitments undertaken and cooperation pledged at the twentieth special session of the General Assembly on countering the world drug problem. The Ministers commended the goal contained in the Political Declaration of the twentieth special session of the General Assembly to eliminate or significantly reduce the illicit manufacture, marketing and trafficking of drugs by 2008, and will do their part to make this goal a reality.

The Ministers welcomed the many regional initiatives and efforts to combat corruption, including developments that would ensure that such initiatives are effective. The Ministers recognized that corruption is both a national and transnational phenomenon that can threaten political stability and security as

well as economic systems. The Ministers acknowledged the importance of promoting and maintaining the rule of law in fighting corruption and bribery.

21. The Ministers expressed concern about the financial crisis afflicting a number of countries, especially developing countries and countries in transition. They stressed the importance, at the national level, of sound domestic policies, private capital flows, and appropriate functioning of markets as well as of a favourable and open international economic environment to overcome this crisis and reverse the marginalization of some developing countries, in particular, the least developed countries. They also stressed tne need for concerted action by the international community and. in this connection, called on all countries to adopt policy measures which are conducive to the stabilization of the situation and the revitalization of economic development. The Ministers reaffirmed that economic development, social development and environmental protection are interdependent and mutually reinforcing components of sustainable development. In this regard, they expressed the view that the United Nations is in a position to play an even more important role in coordinating development assistance to developing countries, in particular the least developed ones, as well as to countries in transition.

The Ministers looked forward to the special session of the General Assembly in 1999 on the five-year review of the International Conference on Population and Development, preparation for the five-year review of the Global Conference on the Sustainable Development of Small Island Developing States, and the triennial comprehensive policy review of operational activities at the current session of the General Assembly.

22. The Ministers thanked the Secretary-General for this traditional exchange of views and believe that the continued close consultations between the Foreign Ministers of the five permanent members of the Security Council and the Secretary-General are very useful.